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Amendment

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LCO No. 5045

SB0035705045SD0

Offered by:

SEN. WILLIAMS, 29th Dist.

SEN. MEYER, 12th Dist.

SEN. LOONEY, 11th Dist.

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SEN. AYALA, 23rd Dist.

To: Subst. Senate Bill No. **357**

File No. 285

Cal. No. 198

"AN ACT CONCERNING REVISIONS TO ENERGY STATUTES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 22a-472 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2014*):

5 (a) For the purposes of this section:

6 (1) "Dispose" means the discharge, deposit, injection, dumping,
7 spilling, leaking or placing of any waste into or on any land or water so
8 that such waste, or any constituent of such waste, may enter the
9 environment, be emitted into the air or discharged into any waters of
10 the state;

11 (2) "Fluid" means any material or substance that flows or moves
12 whether in semisolid, liquid, sludge, gas or any other form or state;

13 (3) "Gas" means all natural gas, whether hydrocarbon or
14 nonhydrocarbon, including, but not limited to, hydrogen sulfide,
15 helium, carbon dioxide, nitrogen, hydrogen and casinghead gas;

16 (4) "Hydraulic fracturing" means the process of pumping a fluid into
17 or under the surface of the ground in order to create fractures in rock
18 for exploration, development, production or recovery of gas.
19 "Hydraulic fracturing" does not include the drilling or repair of a
20 geothermal water well or any other well drilled or repaired for
21 drinking water purposes;

22 (5) "Person" means any individual, firm, partnership, association,
23 syndicate, company, trust, corporation, limited liability company,
24 municipality, agency or political or administrative subdivision of the
25 state;

26 (6) "Radioactive materials" means any material, solid, liquid or gas,
27 including, but not limited to, waste that emits ionizing radiation
28 spontaneously;

29 (7) "Store" means holding waste for a temporary period, at the end
30 of which the waste is treated, disposed of or stored elsewhere;

31 (8) "Transfer" means to move from one vehicle to another or to
32 move from one mode of transportation to another;

33 (9) "Treat" means any method, technique or process designed to
34 change the physical, chemical or biological character or composition of
35 any waste, including, but not limited to, the reclaiming or rendering of
36 waste from hydraulic fracturing as suitable for use or reuse; and

37 (10) "Waste from hydraulic fracturing" means any wastewater,
38 wastewater solids, brine, sludge, drill cuttings or any other substance
39 used for or generated secondarily to the purpose of hydraulic
40 fracturing.

41 (b) No person may accept, receive, collect, store, treat, transfer or

42 dispose of waste from hydraulic fracturing, including, but not limited
43 to, the discharge of wastewaters into or from a pollution abatement
44 facility, until the Commissioner of Energy and Environmental
45 Protection adopts regulations, in accordance with the provisions of
46 chapter 54, including approval of such regulations by the Regulations
47 Review Committee of the General Assembly, to: (1) Eliminate the
48 exemption in the state's hazardous waste management regulations,
49 adopted pursuant to subsection (c) of section 22a-449 for the wastes
50 identified in 40 CFR 261.4(b)(5) and to provide that such wastes shall
51 be subject to the state's hazardous waste management regulations, as
52 set forth in sections 22a-449(c)-100 to 22a-449(c)-119, inclusive, and
53 section 22a-449(c)-11 of the regulations of Connecticut state agencies,
54 (2) ensure that any radioactive materials that may be present in wastes
55 from hydraulic fracturing do not create or will not reasonably be
56 expected to create a source of pollution to the air, land or waters of the
57 state and do not otherwise pose a threat to the human health or the
58 environment of this state, and (3) require disclosure of the composition
59 of the waste from hydraulic fracturing. The commissioner shall not
60 submit regulations authorized by this subsection to the legislative
61 regulation review committee earlier than July 1, 2017, provided the
62 commissioner shall submit such regulations to said committee not later
63 than July 1, 2018.

64 (c) After the adoption of the regulations, including the approval of
65 such regulations by the legislative regulation review committee,
66 required by subsection (b) of this section, no person shall collect or
67 transport waste from hydraulic fracturing for receipt, acceptance or
68 transfer in this state unless such person obtains a permit, prior to any
69 such collection or transport, issued in accordance with the provisions
70 of section 22a-454. Such permit shall be required even if such collection
71 or transportation is undertaken by a person whose principal business
72 is not the management of such wastes. In any such permit the
73 commissioner shall require, in addition to any other conditions, that
74 records be maintained concerning the origins and all intermediate and
75 final delivery points of such wastes from hydraulic fracturing.

76 (d) No person may sell, offer for sale, offer, barter, manufacture,
77 distribute or use any product for anti-icing, de-icing, pre-wetting or
78 dust suppression that is derived from or that contains waste from
79 hydraulic fracturing until the commissioner adopts regulations in
80 accordance with the provisions of chapter 54, including approval of
81 such regulations by the legislative regulation review committee,
82 authorizing such sale, offer, barter, manufacture, distribution or use.
83 Such regulations shall either prohibit any such products or shall
84 contain any conditions that the commissioner deems necessary to
85 protect human health and the environment and to ensure that the sale,
86 offer, barter, manufacture, distribution or use of any such product does
87 not create or will not reasonably be expected to create a source of
88 pollution to the air, land or waters of the state. Such conditions may
89 include, but are not limited to, a written statement to accompany such
90 product indicating that such product contains or is derived from
91 wastes from hydraulic fracturing.

92 (e) In implementing the provisions of this section, the commissioner
93 shall request of any person information, including, but not limited to,
94 whether and to what extent an anti-icing, de-icing, pre-wetting or dust
95 suppression product is or may be derived from or contain wastes from
96 hydraulic fracturing, where the materials used to manufacture any
97 such product were obtained, and the chemical composition of such
98 product or waste from hydraulic fracturing. If any person fails to
99 provide the information requested by the commissioner pursuant to
100 this subsection, such failure shall provide a basis for the commissioner
101 to prohibit the sale, offering for sale, bartering, manufacturing,
102 distribution or use of such anti-icing, de-icing, pre-wetting or dust
103 suppression product or to not adopt regulations required pursuant to
104 subsection (b) or (d) of this section, as applicable.

105 (f) Any information acquired by the commissioner under this
106 section shall be subject to disclosure in accordance with the provisions
107 of chapter 14.

108 (g) Until the adoption of regulations in accordance with subsection

109 (b) of this section, the commissioner may approve, in writing, not more
110 than three requests to allow a person, who the commissioner
111 determines to be professionally qualified, to treat waste from hydraulic
112 fracturing, provided such treatment is solely for the purpose of
113 conducting research to determine whether such waste can be treated to
114 make such waste suitable for use or reuse. The commissioner shall
115 prescribe the form to be used for submitting any such request,
116 including any information that the commissioner deems necessary for
117 evaluating any such request. In approving any such request, the
118 commissioner shall prescribe any conditions or requirements the
119 commissioner deems necessary to prevent pollution to the air, land or
120 waters of the state or to protect human health or the environment and
121 shall include requirements regarding the disposal of any waste from
122 any such research. From the effective date of this section until the
123 adoption of regulations in accordance with subsection (b) of this
124 section, no person whose request is approved pursuant to this section
125 shall: (1) Apply for or obtain more than three such approvals pursuant
126 this subsection, and (2) treat more than three hundred and thirty
127 gallons of waste from hydraulic fracturing in accordance with this
128 subsection, regardless of the number of approvals issued to such
129 person. The commissioner may authorize a single treatment in excess
130 of such gallon limitation by one person provided such authorization
131 allows for the treatment of not more than five hundred gallons of
132 waste from hydraulic fracturing. For the purposes of this subsection,
133 all wastes from hydraulic fracturing shall be considered to be
134 hazardous waste, as defined in section 22a-448, regardless of the state's
135 incorporation by reference of 40 CFR 261.4(b)(5).

136 (h) Any person exploring for oil or gas on or after the effective date
137 of regulations required by this [section] subsection shall register with
138 the Commissioner of Energy and Environmental Protection on a form
139 prescribed by him. The commissioner shall adopt regulations in
140 accordance with the provisions of chapter 54 setting forth (1) standards
141 for oil and gas exploration and production wells, including, but not
142 limited to, standards for the abandonment of exploration and

143 production activities, and (2) the amount of a fee to be paid by
144 registrants which shall be sufficient to pay the cost of administering
145 the registration program.

146 Sec. 2. (NEW) (*Effective from passage*) (a) There is established the
147 Materials Innovation and Recycling Authority. The Materials
148 Innovation and Recycling Authority shall constitute a successor
149 authority to the Connecticut Resources Recovery Authority in
150 accordance with the provisions of sections 4-38d, 4-38e and 4-39 of the
151 general statutes.

152 (b) Wherever the words "Connecticut Resources Recovery
153 Authority" are used in any public or special act of 2014 or in the
154 following sections of the general statutes, the words "Materials
155 Innovation and Recycling Authority" shall be substituted in lieu
156 thereof: 1-79, 1-120, 1-124, 1-125, 3-24d, 3-24f, 7-329a, 12-412, 12-459, 16-
157 1, 16-245, 16-245b, 22a-208a, as amended by this act, 22a-208v, 22a-
158 209h, 22a-219b, 22a-220, 22a-241, 22a-260, 22a-261, as amended by this
159 act, 22a-263a, 22a-263b, 22a-268a, 22a-268b, 22a-270a, 22a-272a, 22a-282,
160 22a-283, 22a-284, 32-1e and 32-658.

161 (c) The Legislative Commissioners' Office shall, in codifying the
162 provisions of this section, make such conforming, technical,
163 grammatical and punctuation changes as are necessary to carry out the
164 purposes of this section.

165 Sec. 3. Section 22a-241a of the general statutes is repealed and the
166 following is substituted in lieu thereof (*Effective from passage*):

167 (a) On or before [June 1, 1988] July 1, 2016, the Commissioner of
168 Energy and Environmental Protection shall revise the state-wide solid
169 waste management plan adopted pursuant to section 22a-228 to
170 include a strategy [to recycle] for diverting, through source reduction,
171 reuse and recycling, not less than [twenty-five] sixty per cent of the
172 solid waste generated in the state after [January 1, 1991] January 1,
173 2024. Such strategy shall include, but not be limited to, modernization

174 of solid waste management infrastructure throughout the state
175 through the efforts of private, public and quasi-public entities,
176 promotion of organic materials management, the recycling of
177 construction and demolition debris, the development of intermediate
178 processing centers, recommendations for assigning municipalities to
179 regional recycling programs, options for local compliance of
180 municipalities with recycling requirements and the composting of
181 solid waste. The commissioner shall consult with municipalities in
182 developing any revision to the state-wide solid waste management
183 plan and with the Connecticut Agricultural Experiment Station on
184 issues related to composting.

185 (b) On or before February 1, 2016, the commissioner shall submit
186 such revised state-wide solid waste management plan to the joint
187 standing committee of the General Assembly having cognizance of
188 matters relating to the environment. Not later than thirty days after
189 receipt of such revised state-wide solid waste management plan, said
190 committee may hold a public hearing on such plan. The commissioner,
191 or the commissioner's designee, shall testify at any such public hearing
192 and receive comments from the members of said committees
193 concerning such proposals.

194 Sec. 4. (NEW) (*Effective from passage*) On or before January 1, 2016,
195 the Commissioner of Energy and Environmental Protection, in
196 consultation with the Materials Innovation and Recycling Authority,
197 shall issue a request for proposals from providers of solid waste
198 materials management services, including, but not limited to,
199 recycling, reuse, energy and fuel recovery, organic materials
200 processing, waste recycling, for the purpose of redeveloping the
201 Connecticut Solid Waste Management System Project. Such proposals
202 shall not include the provision of waste collection or transportation
203 services. From such proposals, the commissioner may select not more
204 than three respondents who may each conduct a feasibility study with
205 the cooperation of the Materials Innovation and Recycling Authority.
206 Any such feasibility study shall be completed not later than January 1,

207 2017, and any such respondent shall submit a final proposal to the
208 Commissioner of Energy and Environmental Protection not later than
209 July 1, 2017. On or before September 15, 2017, the commissioner shall
210 submit a report on the nature and status of such proposals to the joint
211 standing committees of the General Assembly having cognizance of
212 matters relating to the environment and energy and technology and to
213 the joint standing committee on legislative management. The joint
214 standing committees of the General Assembly having cognizance of
215 matters relating to the environment and energy and technology may
216 hold a joint public hearing on such report not later than thirty days
217 after receipt of such report. The commissioner, or the commissioner's
218 designee, shall testify at any such public hearing and receive
219 comments from the members of said committees concerning such
220 proposals. On or before December 31, 2017, the Commissioner of
221 Energy and Environmental Protection may select one such final
222 proposal and direct the Materials Innovation and Recycling Authority
223 to enter into an agreement with the applicable respondent for the
224 redevelopment of the Connecticut Solid Waste Management System
225 Project. In selecting such final proposal, the Commissioner of Energy
226 and Environmental Protection shall consider the following factors: (1)
227 Whether the proposal is consistent with the strategies developed
228 pursuant to section 22a-241a of the general statutes, as amended by
229 this act, (2) whether the proposal is consistent with the goals of the
230 state-wide solid waste management plan adopted in accordance with
231 section 22a-228 of the general statutes, (3) whether the proposal is in
232 the best interest of the municipalities under contract with the Materials
233 Innovation and Recycling Authority, including, but not limited to, the
234 maintenance or reduction of current tipping fees for contracted waste,
235 (4) the level of investment proposed by the respondent, (5) any
236 potential positive impacts on the state's economic development, (6)
237 public comments received on the feasibility studies, and (7) any other
238 factor consistent with the purpose of this section that the
239 Commissioner of Energy and Environmental Protection deems
240 relevant to the redevelopment of the Connecticut Solid Waste
241 Management System Project.

242 Sec. 5. (NEW) (*Effective from passage*) (a) There is established the
243 Recycle CT Foundation, Inc., a nonstock, nonprofit corporation,
244 organized under the laws of the state of Connecticut as a state
245 chartered foundation. The Recycle CT Foundation, Inc. shall: (1) Target
246 and promote the coordination and support of research and education
247 activities and public information programs aimed at increasing the rate
248 of recycling and reuse in the state, in accordance with the state-wide
249 solid waste management plan adopted pursuant to section 22a-228 of
250 the general statutes; and (2) receive, disburse and administer gifts,
251 grants, endowments or other funds from any source that supports
252 research and education activities consistent with the purposes of
253 chapter 446d of the general statutes.

254 (b) There is established a Recycle CT Foundation Council that shall
255 consist of the following members: (1) The Commissioners of Energy
256 and Environmental Protection and Economic and Community
257 Development, or said commissioners' designees, (2) five appointed by
258 the Governor, (3) one appointed by the president pro tempore of the
259 Senate, (4) one appointed by the speaker of the House of
260 Representatives, (5) one appointed by the minority leader of the House
261 of Representatives, and (6) one appointed by the minority leader of the
262 Senate. The chairperson of the council shall be appointed by the
263 Governor and shall serve a term coterminous with that of the
264 Governor. All other members of the council shall serve a term of two
265 years. No member shall serve for more than three terms. Members of
266 the council shall not receive compensation for service on such council.
267 Any vacancy shall be filled by the appointing authority.

268 (c) The council shall undertake all requisite efforts to obtain
269 nonprofit, tax exempt status under Section 501(c)(3) of the Internal
270 Revenue Code of 1986, or any subsequent corresponding internal
271 revenue code of the United States, as amended from time to time. The
272 council shall solicit and accept funds, on behalf of the Recycle CT
273 Foundation, Inc., to be used for the purpose of making grants to
274 programs that are intended to increase the rate of recycling and reuse

275 of solid waste materials in the state. The council shall establish criteria
276 and procedures for the award of such grants, provided recipients of
277 such grants may include: Nonprofit organizations, civic and
278 community groups, schools, public agencies, municipalities, regional
279 entities that represent municipalities or organizations in the private
280 sector. Any person seeking the award of such grant shall file an
281 application with the council on a form as prescribed by the council.

282 Sec. 6. Section 22a-262 of the general statutes is repealed and the
283 following is substituted in lieu thereof (*Effective from passage*):

284 (a) The purposes of the authority shall be:

285 (1) The planning, design, construction, financing, management,
286 ownership, operation and maintenance of solid waste disposal, volume
287 reduction, recycling, intermediate processing and resources recovery
288 facilities and all related solid waste reception, storage, transportation
289 and waste-handling and general support facilities considered by the
290 authority to be necessary, desirable, convenient or appropriate in
291 carrying out the provisions of the state solid waste management plan
292 and in establishing, managing and operating solid waste disposal and
293 resources recovery systems and their component waste-processing
294 facilities and equipment;

295 (2) The provision of solid waste management services to
296 municipalities, regions and persons within the state by receiving solid
297 wastes at authority facilities, pursuant to contracts between the
298 authority and such municipalities, regions and persons; the recovery of
299 resources and resource values from such solid wastes; and the
300 production from such services and resources recovery operations of
301 revenues sufficient to provide for the support of the authority and its
302 operations on a self-sustaining basis, with due allowance for the
303 redistribution of any surplus revenues to reduce the costs of authority
304 services to the users thereof provided such surplus revenues shall
305 include any net revenue from activities undertaken pursuant to
306 subdivisions (18) and (19) of subsection (a) of section 22a-266 and

307 subdivision (8) of section 22a-267;

308 (3) The utilization, through contractual arrangements, of private
309 industry for implementation of some or all of the requirements of the
310 state solid waste management plan and for such other activities as may
311 be considered necessary, desirable or convenient by the authority;

312 (4) Assistance with and coordination of efforts directed toward
313 source separation for recycling purposes; and

314 [(5) Assistance in the development of industries, technologies and
315 commercial enterprises within the state of Connecticut based upon
316 resources recovery, recycling, reuse and treatment or processing of
317 solid waste.]

318 (5) In consultation with the Commissioner of Energy and
319 Environmental Protection and consistent with the state-wide solid
320 waste management plan adopted pursuant to section 22a-228, the
321 development of new industries, technologies and commercial
322 enterprises on property owned by the authority based upon resource
323 recovery, recycling, reuse and treatment or processing of solid waste.

324 (b) These purposes shall be considered to be operating
325 responsibilities of the authority, in accordance with the state solid
326 waste management plan, and are to be considered in all respects public
327 purposes. [It is the intention of this chapter that the authority shall be
328 granted all powers necessary to fulfill these purposes and to carry out
329 its assigned responsibilities and that the provisions of this chapter,
330 itself, are to be construed liberally in furtherance of this intention.]

331 (c) These purposes shall not include activities related to state-wide
332 recycling education and promotion or the establishment of state-wide
333 solid waste management or policy.

334 Sec. 7. Section 22a-264 of the general statutes is repealed and the
335 following is substituted in lieu thereof (*Effective from passage*):

336 The activities of the authority in providing or contracting to provide
337 solid waste management services [to the state, regions, municipalities
338 and persons, in implementing the state resources recovery system and
339 in planning, designing, financing, constructing, managing or operating
340 solid waste facilities, including their location, size and capabilities,]
341 shall be in conformity with applicable statutes and regulations and
342 with the state solid waste management plan as [promulgated] adopted
343 by the Commissioner of Energy and Environmental Protection. [The
344 authority shall have power to assist in the preparation, revision,
345 extension or amendment of the state solid waste management plan,
346 and the Department of Energy and Environmental Protection is hereby
347 authorized to utilize, by contract or other agreement, the capabilities of
348 the authority for the carrying out of such planning functions. The
349 authority shall have power to revise and update, as may be necessary
350 to carry out the purposes of this chapter, that portion of the state solid
351 waste management plan defined as the "solid waste management
352 system". To effect such revision and updating, the] The authority shall
353 prepare an annual plan of operations which shall be reviewed by the
354 Commissioner of Energy and Environmental Protection for consistency
355 with the state solid waste management plan. Upon approval by the
356 Commissioner of Energy and Environmental Protection and by a [two-
357 thirds] vote of the authority's full board of directors, the annual plan of
358 operations shall be [promulgated] adopted. Any activities of the
359 authority carried out to assist in the development of industry and
360 commerce based upon the availability of recovered resources for
361 recycling and reuse shall be coordinated to the extent practicable with
362 plans and activities of Connecticut Innovations, Incorporated, with
363 due consideration given to the secondary materials industries
364 operating within the state of Connecticut.

365 Sec. 8. Section 22a-265 of the general statutes is repealed and the
366 following is substituted in lieu thereof (*Effective January 1, 2015*):

367 The authority shall have power to:

368 (1) Employ a staff of not to exceed [seventy] forty-five personnel,

369 exclusive of the directors, and to fix their duties, qualifications and
370 compensation; [provided before employing more than forty-five
371 persons the board of directors shall, by a two-thirds vote of all the
372 members, establish the maximum number of employees which may be
373 employed;]

374 (2) Establish offices where necessary in the state of Connecticut;

375 (3) Make and enter into any contract or agreement necessary or
376 incidental to the performance of its duties and execution of its powers;

377 (4) Sue and be sued;

378 (5) Have a seal and alter it at pleasure;

379 (6) Make and alter bylaws and rules and regulations with respect to
380 the exercise of its own powers;

381 (7) Conduct such hearings, examinations and investigations as may
382 be necessary and appropriate to the conduct of its operations and the
383 fulfillment of its responsibilities;

384 (8) Obtain access to public records and apply for the process of
385 subpoena if necessary to produce books, papers, records and other
386 data;

387 (9) Charge reasonable fees for the services it performs and waive,
388 suspend, reduce or otherwise modify such fees, provided such user
389 fees shall apply uniformly within each municipality to all users who
390 are provided with waste management services with respect to a given
391 type or category of wastes, in accordance with criteria established by
392 the authority, and provided further no change may be made in user
393 fees without at least sixty days prior notice to the users affected
394 thereby;

395 (10) Purchase, lease or rent such real and personal property as it
396 may deem necessary, convenient or desirable;

397 [(11) Appoint such state and local advisory councils as it may from
398 time to time deem advisable, including but not limited to state and
399 local councils on the continuation and utilization of source-separation
400 and recycling efforts to benefit the people of the state;]

401 [(12)] (11) Otherwise, do all things necessary for the performance of
402 its duties, the fulfillment of its obligations, the conduct of its
403 operations, the maintenance of its working relationships with
404 municipalities, regions and persons, and the conduct of a
405 comprehensive program for reuse, recycling, solid waste disposal and
406 resources recovery, and for solid waste management services, in
407 accordance with the provisions of the state solid waste management
408 plan, applicable statutes and regulations and the requirements of this
409 chapter;

410 [(13)] (12) Receive and accept, from any source, aid or contributions,
411 including money, property, labor and other things of value;

412 [(14) To invest] (13) Invest any funds not needed for immediate use
413 or disbursement in obligations issued or guaranteed by the United
414 States of America or the state of Connecticut and in obligations that are
415 legal investments for savings banks in this state; and

416 [(15) To adopt] (14) Adopt regular procedures for exercising its
417 power under this chapter not in conflict with other provisions of the
418 general statutes.

419 Sec. 9. Section 22a-265a of the general statutes is repealed and the
420 following is substituted in lieu thereof (*Effective from passage*):

421 [If, during any fiscal year the number of employees authorized by
422 the board pursuant to subdivision (1) of section 22a-265 exceeds forty-
423 five, expenditures by the authority for outside consultants during such
424 fiscal year shall be reduced below expenditures for outside consultants
425 for the previous fiscal year by an amount equal to expenditures for
426 such additional employees in excess of forty-five unless during such
427 fiscal year municipalities contract with the authority for the

428 development or operation of additional recycling, intermediate
429 processing or resources recovery processing facilities.] Any
430 expenditure of fifty thousand dollars or more by the authority for an
431 outside consultant shall require a two-thirds vote of approval by the
432 board of directors.

433 Sec. 10. Section 16a-14e of the general statutes is repealed and the
434 following is substituted in lieu thereof (*Effective from passage*):

435 (a) The Department of Energy and Environmental Protection shall
436 operate a purchasing pool for the purchase of electricity for state
437 operations and the operations of any municipality in the state that
438 elects to participate in such purchasing pool. In connection with the
439 operation of such purchasing pool, the Commissioner of Energy and
440 Environmental Protection may solicit proposals from electric suppliers,
441 on behalf of any state agency, municipality or institution of higher
442 education for electric generation services to purchase electricity for
443 state and municipal operations and to meet the state's energy policy
444 goals, as established in the comprehensive energy strategy adopted by
445 the commissioner. Said department shall provide the opportunity to
446 participate in such purchasing pool to each household that includes an
447 individual who receives means-tested assistance administered by the
448 state or federal government. Any such household shall receive through
449 such purchasing pool the same benefits and rate discounts available
450 for state facilities. The Department of Energy and Environmental
451 Protection shall use federal and state energy assistance funds to
452 leverage the lowest practicable electric rates for households
453 participating in such pool, provided such funds shall not be used for
454 administrative purposes. The commissioner may make grants
455 available to municipalities that join such pool and commit to achieving
456 the state diversion, recycling and reuse goals in accordance with
457 sections 22a-220 and 22a-241a, as amended by this act, and the state-
458 wide solid waste management plan adopted and amended pursuant to
459 section 22a-228. The provisions of section 16-245 shall not apply to the
460 Department of Energy and Environmental Protection for purposes of

461 this section.

462 (b) In connection with the operation of the purchasing pool
463 described in subsection (a) of this section, on or before January 1, 2020,
464 the Commissioner of Energy and Environmental Protection shall
465 solicit, on behalf of state agencies and any municipality or institution
466 of higher education that elects to participate in such purchasing pool,
467 in one or more solicitations, proposals from retail electric suppliers for
468 electric supply, provided at least one solicitation occurs on or before
469 January 1, 2015. For any solicitation issued for a purchasing pool of
470 three hundred seventy thousand megawatt hours per year or less,
471 proposals submitted in response to such solicitation shall include not
472 less than sixty per cent of electric generation supplied from Class II
473 renewable energy sources, as defined in section 16-1, that originate
474 from trash-to-energy facilities constructed on or before January 1, 2013,
475 and that are permitted pursuant to section 22a-208a. Selection criteria
476 for such services shall include, but are not limited to: (1) The delivered
477 price of such service, (2) the Class II renewable energy facility's
478 practices in furtherance of the state's diversion, reduction, reuse and
479 recycling goals that are consistent with sections 22a-220 and 22a-241a,
480 as amended by this act, and the state-wide solid waste management
481 plan adopted and amended pursuant to section 22a-228, (3) the degree
482 to which a proposal includes a greater percentage of trash-to-energy in
483 the fuel mix, and (4) the degree to which a proposal includes a greater
484 number of trash-to-energy facilities. On or before January 1, 2020, the
485 commissioner shall, through one or more solicitations, select the
486 proposals that meet the requirements of this subsection to satisfy, for a
487 total period of not less than five consecutive years, not less than three
488 hundred seventy thousand megawatt hours per year of electric supply,
489 provided such proposals include sixty per cent of electric generation
490 supplied from Class II renewable energy sources, as described in this
491 subsection, and otherwise meet the requirements of this subsection.
492 Any proposals for such electric supply service selected by the
493 commissioner shall be for a period of not more than five years and at a
494 price not higher than one-half cent per kilowatt hour above the price

495 for standard generation service at the time any such solicitation is
496 issued. In the event that no proposals include sixty per cent or more of
497 electric generation supplied from Class II renewable energy sources, as
498 defined in section 16-1, that originate from trash-to-energy facilities
499 constructed on or before January 1, 2013, and that are permitted
500 pursuant to section 22a-208a, the commissioner may select the
501 proposal or proposals with the highest percentage of electric
502 generation supplied from such Class II renewable energy sources,
503 provided the price does not exceed one-half cent per kilowatt hour
504 above the price for standard generation service at the time any such
505 solicitation is issued.

506 (c) In the event that the pool authorized pursuant to subsection (a)
507 of this section exceeds three hundred seventy thousand megawatt
508 hours per year of electric supply, the commissioner may select an
509 amount using the selection criteria contained in subsection (b) of this
510 section, provided the requirement contained in subsection (b) of this
511 section for sixty per cent of such electric generation supplied from
512 Class II renewable energy sources shall not apply to any such amount
513 of such pool that exceeds three hundred seventy thousand megawatt
514 hours per year.

515 (d) For the purposes of subdivisions (17) and (18) of subsection (b)
516 of section 7-233e, the purchasing pool described in subsection (a) of
517 this section and any energy improvement district described in section
518 32-80a shall be deemed to be included in the entities that constitute
519 electric power entities.

520 (e) Notwithstanding the provisions of subsection (g) of section 16-
521 245c, a municipal electric energy cooperative is authorized to and may
522 provide and supply electric generation services to those entities that
523 constitute electric power entities, as described in section 7-233e and
524 subsection (d) of this section, provided any such cooperative shall
525 comply with the renewable energy procurement requirements of
526 sections 16-243q and 16-245a with respect to the electric generation
527 services supplied to such entities. Any such cooperative shall not be

528 subject to the provisions of section 16-245.

529 Sec. 11. Section 1-2b of the 2014 supplement to the general statutes is
530 repealed and the following is substituted in lieu thereof (*Effective from*
531 *passage*):

532 (a) For purposes of sections 1-100oo, 1-206, 2-71r, 4-176, 4-180, 4-183,
533 4a-52a, 4a-60q, 4a-63, 4a-100, 4e-34, 4e-35, 7-65, 7-148w, 7-247a, 7-473c,
534 7-478e, 8-3b, 8-3i, 8-7d, 8-26b, 8-169r, 8-293, 9-388, 9-608, 9-623, 10a-22c,
535 10a-22i, 10a-34a, 10a-109n, 12-35, 12-157, 12-242ii, 12-242jj, 13a-80, 13a-
536 123, 15-11a, 16-41, 16-50c, 16-50d, 17a-103b, 19a-87, 19a-87c, 19a-209c,
537 19a-332e, 19a-343a, 19a-486a, 19a-486c, 19a-486d, 19a-497, 19a-507b, 20-
538 205a, 20-325a, 21-63, 21-80, 22-7, 22a-6b, 22a-6u, 22a-30, 22a-42d, 22a-
539 42f, 22a-66d, 22a-137, 22a-178, 22a-225, 22a-228, 22a-250, [22a-285b,]
540 22a-354p, 22a-354s, 22a-354t, 22a-361, 22a-371, 22a-401, 22a-403, 22a-
541 433, 22a-436, 22a-449f, 22a-449l, 22a-449n, 22a-504, 22a-626, 23-46, 23-
542 65j, 23-651, 23-65p, 25-32, 25-32e, 25-331, 25-34, 25-204, 25-234, 29-108d,
543 31-57c, 31-57d, 31-355, 32-613, 33-663, 33-929, 33-1053, 33-1219, 34-521,
544 35-42, 36a-50, 36a-51, 36a-52, 36a-53, 36a-82, 36a-184, 36a-493, 36b-62,
545 36b-72, 38-323a, 38a-344, 38a-676, 38a-724, 38a-788, 42-158j, 42-161, 42-
546 181, 42-182, 42-186, 42-271, 45a-716, 46b-115w, 46b-128, 47-42d, 47-74f,
547 47-88b, 47-236, 47-284, 47a-11b, 47a-11d, 47a-13a, 47a-14h, 47a-56b, 49-
548 2, 49-4a, 49-8, 49-8a, 49-10b, 49-31b, 49-51, 49-70, 51-90e, 52-57, 52-59b,
549 52-63, 52-64, 52-195c, 52-350e, 52-351b, 52-361a, 52-362, 52-565a, 52-605,
550 52-606, 53-401, 53a-128, 53a-128d, 53a-207 and 54-82c and chapter 965,
551 any reference to certified mail, return receipt requested, shall include
552 mail, electronic, and digital methods of receiving the return receipt,
553 including all methods of receiving the return receipt identified by the
554 Mailing Standards of the United States Postal Service in Chapter 500 of
555 the Domestic Mail Manual or any subsequent corresponding
556 document of the United States Postal Service.

557 (b) The Legislative Commissioners' Office shall, in codifying the
558 provisions of this section, make such technical, grammatical and
559 punctuation changes and statutory placements and classifications,
560 including, but not listed in subsection (a) of this section as are

561 necessary to carry out the purposes of this section.

562 Sec. 12. Section 16-50j of the 2014 supplement to the general statutes
563 is repealed and the following is substituted in lieu thereof (*Effective*
564 *from passage*):

565 (a) There is established a "Connecticut Siting Council", hereinafter
566 referred to as the "council", which shall be within the Department of
567 Energy and Environmental Protection for administrative purposes
568 only.

569 (b) Except for proceedings under chapter 445, this subsection and
570 subsection (c) of this section, the council shall consist of: (1) The
571 Commissioner of Energy and Environmental Protection, or his
572 designee; (2) the chairperson of the Public Utilities Regulatory
573 Authority, or the chairperson's designee; (3) one designee of the
574 speaker of the House and one designee of the president pro tempore of
575 the Senate; and (4) five members of the public, to be appointed by the
576 Governor, at least two of whom shall be experienced in the field of
577 ecology, and not more than one of whom shall have affiliation, past or
578 present, with any utility or governmental utility regulatory agency, or
579 with any person owning, operating, controlling, or presently
580 contracting with respect to a facility, a hazardous waste facility, as
581 defined in section 22a-115, or an ash residue disposal area.

582 (c) For proceedings under chapter 445, subsection (b) of this section
583 and this subsection, the council shall consist of (1) the Commissioners
584 of Public Health and Emergency Services and Public Protection or their
585 designated representatives; (2) the designees of the speaker of the
586 House of Representatives and the president pro tempore of the Senate
587 as provided in subsection (b) of this section; (3) the five members of the
588 public as provided in subsection (b) of this section; and (4) four ad hoc
589 members, three of whom shall be electors from the municipality in
590 which the proposed facility is to be located and one of whom shall be
591 an elector from a neighboring municipality likely to be most affected
592 by the proposed facility. The municipality most affected by the

593 proposed facility shall be determined by the permanent members of
594 the council. If any one of the five members of the public or of the
595 designees of the speaker of the House of Representatives or the
596 president pro tempore of the Senate resides (A) in the municipality in
597 which a hazardous waste facility is proposed to be located for a
598 proceeding concerning a hazardous waste facility or in which a low-
599 level radioactive waste facility is proposed to be located for a
600 proceeding concerning a low-level radioactive waste facility, or (B) in
601 the neighboring municipality likely to be most affected by the
602 proposed facility, the appointing authority shall appoint a substitute
603 member for the proceedings on such proposal. If any appointee is
604 unable to perform his duties on the council due to illness, or has a
605 substantial financial or employment interest which is in conflict with
606 the proper discharge of his duties under this chapter, the appointing
607 authority shall appoint a substitute member for proceedings on such
608 proposal. An appointee shall report any substantial financial or
609 employment interest which might conflict with the proper discharge of
610 his duties under this chapter to the appointing authority who shall
611 determine if such conflict exists. If any state agency is the applicant, an
612 appointee shall not be deemed to have a substantial employment
613 conflict of interest because of employment with the state unless such
614 appointee is directly employed by the state agency making the
615 application. Ad hoc members shall be appointed by the chief elected
616 official of the municipality they represent and shall continue their
617 membership until the council issues a letter of completion of the
618 development and management plan to the applicant.

619 [(d) For proceedings under sections 22a-285d to 22a-285h, inclusive,
620 the council shall consist of (1) the Commissioners of Public Health and
621 Emergency Services and Public Protection or their designated
622 representatives; (2) the designees of the speaker of the House of
623 Representatives and the president pro tempore of the Senate as
624 provided in subsection (b) of this section, and (3) five members of the
625 public as provided in subsection (b) of this section. If any one of the
626 five members of the public or of the designees of the speaker of the

627 House of Representatives or the president pro tempore of the Senate
628 resides in the municipality in which an ash residue disposal area is
629 proposed to be located the appointing authority shall appoint a
630 substitute member for the proceedings on such proposal. If any
631 appointee is unable to perform his duties on the council due to illness,
632 or has a substantial financial or employment interest which is in
633 conflict with the proper discharge of his duties under sections 22a-
634 285d to 22a-285h, inclusive, the appointing authority shall appoint a
635 substitute member for proceedings on such proposal. An appointee
636 shall report any substantial financial or employment interest which
637 might conflict with the proper discharge of his duties under said
638 sections to the appointing authority who shall determine if such
639 conflict exists. If any state agency is the applicant, an appointee shall
640 not be deemed to have a substantial employment conflict of interest
641 because of employment with the state unless such appointee is directly
642 employed by the state agency making the application.]

643 [(e)] (d) The chairman of the council shall be appointed by the
644 Governor from among the five public members appointed by him,
645 with the advice and consent of the House or Senate, and shall serve as
646 chairman at the pleasure of the Governor.

647 [(f)] (e) The public members of the council, including the chairman,
648 the members appointed by the speaker of the House and president pro
649 tempore of the Senate and the four ad hoc members specified in
650 subsection (c) of this section, shall be compensated for their attendance
651 at public hearings, executive sessions, or other council business as may
652 require their attendance at the rate of two hundred dollars, provided in
653 no case shall the daily compensation exceed two hundred dollars.

654 [(g)] (f) The council shall, in addition to its other duties prescribed in
655 this chapter, adopt, amend, or rescind suitable regulations to carry out
656 the provisions of this chapter and the policies and practices of the
657 council in connection therewith, and appoint and prescribe the duties
658 of such staff as may be necessary to carry out the provisions of this
659 chapter. The chairman of the council, with the consent of five or more

660 other members of the council, may appoint an executive director, who
661 shall be the chief administrative officer of the Connecticut Siting
662 Council. The executive director shall be exempt from classified service.

663 [(h)] (g) Prior to commencing any hearing pursuant to section 16-
664 50m, the council shall consult with and solicit written comments from
665 (1) the Department of Energy and Environmental Protection, the
666 Department of Public Health, the Council on Environmental Quality,
667 the Department of Agriculture, the Public Utilities Regulatory
668 Authority, the Office of Policy and Management, the Department of
669 Economic and Community Development and the Department of
670 Transportation, and (2) in a hearing pursuant to section 16-50m, for a
671 facility described in subdivision (3) of subsection (a) of section 16-50i,
672 the Department of Emergency Services and Public Protection, the
673 Department of Consumer Protection, the Department of
674 Administrative Services and the Labor Department. In addition, the
675 Department of Energy and Environmental Protection shall have the
676 continuing responsibility to investigate and report to the council on all
677 applications which prior to October 1, 1973, were within the
678 jurisdiction of the Department of Environmental Protection with
679 respect to the granting of a permit. Copies of such comments shall be
680 made available to all parties prior to the commencement of the
681 hearing. Subsequent to the commencement of the hearing, said
682 departments and council may file additional written comments with
683 the council within such period of time as the council designates. All
684 such written comments shall be made part of the record provided by
685 section 16-50o. Said departments and council shall not enter any
686 contract or agreement with any party to the proceedings or hearings
687 described in this section or section 16-50p that requires said
688 departments or council to withhold or retract comments, refrain from
689 participating in or withdraw from said proceedings or hearings.

690 Sec. 13. Section 22a-208b of the general statutes is repealed and the
691 following is substituted in lieu thereof (*Effective from passage*):

692 (a) The Commissioner of Energy and Environmental Protection may

693 issue a permit to construct a facility for the land disposal of solid waste
694 pursuant to section 22a-208a, as amended by this act, provided [(1)] the
695 applicant submits to the commissioner a copy of a valid certificate of
696 zoning approval, special permit, special exception or variance, or other
697 documentation, establishing that the facility complies with the zoning
698 requirements adopted by the municipality in which such facility is
699 located pursuant to chapter 124 or any special act, [, or (2) the council
700 has approved a negotiated agreement or issued an arbitration award in
701 accordance with section 22a-285g.]

702 (b) Nothing in this chapter or chapter 446e shall be construed to
703 limit the right of a municipality to regulate, through zoning, land
704 usage for an existing or new solid waste facility. No municipal
705 regulation adopted pursuant to section 8-2 shall have the effect of
706 prohibiting the construction, alteration or operation of solid waste
707 facilities within the limits of a municipality.

708 Sec. 14. Section 51-344a of the 2014 supplement to the general
709 statutes is repealed and the following is substituted in lieu thereof
710 (*Effective from passage*):

711 (a) Whenever the term "judicial district of Hartford-New Britain" or
712 "judicial district of Hartford-New Britain at Hartford" is used or
713 referred to in the following sections of the general statutes, it shall be
714 deemed to mean or refer to the judicial district of Hartford on and after
715 September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-
716 71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g,
717 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-
718 405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-
719 565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375,
720 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-
721 125, 15-126, 16-41, 16a-5, 17b-60, 17b-100, 17b-238, 17b-531, 19a-85, 19a-
722 86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e,
723 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154,
724 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247,
725 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55,

726 21a-190i, 22-7, 22-64, 22-228, 22-248, 22-254, 22-320d, 22-326a, 22-344b,
 727 22-386, 22a-6b, 22a-7, 22a-16, 22a-30, 22a-34, 22a-53, 22a-60, 22a-62, 22a-
 728 63, 22a-66h, 22a-106a, 22a-119, 22a-180, 22a-182a, 22a-184, 22a-220a,
 729 22a-220d, 22a-225, 22a-226, 22a-226c, 22a-227, 22a-250, 22a-255l, 22a-
 730 276, [22a-285a, 22a-285g, 22a-285j,] 22a-310, 22a-342a, 22a-344, 22a-
 731 361a, 22a-374, 22a-376, 22a-408, 22a-430, 22a-432, 22a-438, 22a-449f, 22a-
 732 449g, 22a-459, 23-5e, 23-65m, 25-32e, 25-36, 28-5, 29-143j, 29-158, 29-
 733 161z, 29-317, 29-323, 29-329, 29-334, 29-340, 29-369, 30-8, 31-109, 31-
 734 249b, 31-266, 31-266a, 31-270, 31-273, 31-284, 31-285, 31-339, 31-355a,
 735 31-379, 35-3c, 35-42, 36a-186, 36a-187, 36a-471a, 36a-494, 36a-587, 36a-
 736 647, 36a-684, 36a-718, 36a-807, 36b-26, 36b-27, 36b-30, 36b-50, 36b-71,
 737 36b-72, 36b-74, 36b-76, 38a-41, 38a-52, 38a-134, 38a-139, 38a-140, 38a-
 738 147, 38a-150, 38a-185, 38a-209, 38a-225, 38a-226b, 38a-241, 38a-337, 38a-
 739 470, 38a-620, 38a-657, 38a-687, 38a-774, 38a-776, 38a-817, 38a-843, 38a-
 740 868, 38a-906, 38a-994, 42-103c, 42-110d, 42-110k, 42-110p, 42-182, 46a-5,
 741 46a-56, 46a-100, 47a-21, 49-73, 51-44a, 51-81b, 51-194, 52-146j, 53-392d
 742 and 54-211a.

743 (b) If the term "judicial district of Hartford-New Britain" or "judicial
 744 district of Hartford-New Britain at Hartford" is used or referred to in
 745 any public act of 1995, 1996, 1997 or 1998 or in any section of the
 746 general statutes which is amended in 1995, 1996, 1997 or 1998 it shall
 747 be deemed to mean or refer to the judicial district of Hartford on and
 748 after September 1, 1998.

749 (c) If the term "judicial district of Hartford-New Britain at New
 750 Britain" is used or referred to in any public act of 1995, 1996, 1997 or
 751 1998 or in any section of the general statutes which is amended in 1995,
 752 1996, 1997 or 1998 it shall be deemed to mean or refer to the judicial
 753 district of New Britain on and after September 1, 1998.

754 Sec. 15. Subsection (a) of section 51-344a of the 2014 supplement to
 755 the general statutes, as amended by section 22 of public act 09-177,
 756 section 6 of public act 10-54 and sections 3 and 4 of public act 12-60, is
 757 repealed and the following is substituted in lieu thereof (*Effective*
 758 *January 1, 2015*):

(a) Whenever the term "judicial district of Hartford-New Britain" or "judicial district of Hartford-New Britain at Hartford" is used or referred to in the following sections of the general statutes, it shall be deemed to mean or refer to the judicial district of Hartford on and after September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g, 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375, 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-125, 15-126, 16-41, 16a-5, 17b-60, 17b-100, 17b-238, 17b-531, 19a-85, 19a-86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e, 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154, 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247, 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55, 21a-190i, 22-7, 22-64, 22-228, 22-248, 22-254, 22-320d, 22-326a, 22-344b, 22-386, 22a-6b, 22a-7, 22a-16, 22a-30, 22a-34, 22a-53, 22a-60, 22a-62, 22a-63, 22a-66h, 22a-106a, 22a-119, 22a-167, 22a-180, 22a-182a, 22a-184, 22a-220a, 22a-220d, 22a-225, 22a-226, 22a-226c, 22a-227, 22a-250, 22a-255l, 22a-276, [22a-285a, 22a-285g, 22a-285j,] 22a-310, 22a-342a, 22a-344, 22a-361a, 22a-374, 22a-376, 22a-408, 22a-430, 22a-432, 22a-438, 22a-449f, 22a-449g, 22a-459, 23-5e, 23-65m, 25-32e, 25-36, 28-5, 29-143j, 29-158, 29-161z, 29-323, 30-8, 31-109, 31-249b, 31-266, 31-266a, 31-270, 31-273, 31-284, 31-285, 31-339, 31-355a, 31-379, 35-3c, 35-42, 36a-186, 36a-187, 36a-471a, 36a-494, 36a-587, 36a-647, 36a-684, 36a-718, 36a-807, 36b-26, 36b-27, 36b-30, 36b-50, 36b-71, 36b-72, 36b-74, 36b-76, 38a-41, 38a-52, 38a-134, 38a-139, 38a-140, 38a-147, 38a-150, 38a-185, 38a-209, 38a-225, 38a-226b, 38a-241, 38a-337, 38a-470, 38a-620, 38a-657, 38a-687, 38a-774, 38a-776, 38a-817, 38a-843, 38a-868, 38a-906, 38a-994, 42-103c, 42-110d, 42-110k, 42-110p, 42-182, 46a-5, 46a-56, 46a-100, 47a-21, 49-73, 51-44a, 51-81b, 51-194, 52-146j, 53-392d and 54-211a.

Sec. 16. Subsection (a) of section 22a-266 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

793 (a) To accomplish the purposes of this chapter, the authority shall
794 have power to:

795 (1) Own, manage and use real property or any interest therein;

796 (2) Determine the location and character of any project to be
797 developed under the provisions of this chapter, subject to applicable
798 statutes and regulations and the requirements of the state-wide solid
799 waste management plan;

800 (3) Purchase, receive by gift or otherwise, lease, exchange, or
801 otherwise acquire and construct, reconstruct, improve, maintain, equip
802 and furnish such waste management projects as are called for by the
803 state solid waste management plan;

804 (4) Sell or lease to any person, all or any portion of a waste
805 management project, for such consideration and upon such terms as
806 the authority may determine to be reasonable;

807 (5) Mortgage or otherwise encumber all or any portion of a project
808 whenever, in the opinion of the authority, such action is deemed to be
809 in furtherance of the purposes of this chapter;

810 (6) Grant options to purchase, or to renew a lease for, any authority
811 waste management project on such terms as the authority may
812 determine to be reasonable;

813 (7) Acquire, by purchase, gift [,] or transfer, [or by condemnation for
814 public purposes,] and manage and operate, hold and dispose of real
815 property and, subject to agreements with lessors or lessees, develop or
816 alter such property by making improvements and betterments with the
817 purpose of enhancing the value and usefulness of such property;

818 (8) Make plans, surveys, studies and investigations necessary or
819 desirable, in conformity with the state plan and with due consideration
820 for local or regional plans, to carry out authority functions with respect
821 to the acquisition, use and development of real property and the

822 design and construction of systems and facilities;

823 (9) Make short and long range plans, consistent with the provisions
824 of the state solid waste management plan, for the processing and
825 transportation of solid wastes and recovered resources by authority-
826 owned facilities;

827 (10) Design or provide for the design of solid waste management
828 facilities including design for the alteration, reconstruction,
829 improvement, enlargement or extension of existing facilities;

830 (11) Construct, erect, build, acquire, alter, reconstruct, improve,
831 enlarge or extend waste management projects including provision for
832 the inspection and supervision thereof and the engineering,
833 architectural, legal, fiscal and economic investigations and studies,
834 surveys, designs, plans, working drawings, specifications, procedures
835 and any other actions incidental thereto;

836 (12) Own, operate and maintain waste management projects and
837 make provision for their management and for the manufacturing,
838 processing and transportation operations necessary to derive
839 recovered resources from solid waste, and contracting for the sale of
840 such;

841 (13) Enter upon lands and waters, as may be necessary, to make
842 surveys, soundings, borings and examinations in order to accomplish
843 the purposes of this chapter;

844 (14) Contract with municipal and regional authorities and state
845 agencies to provide waste management services in accordance with the
846 provisions of section 22a-275 and to plan, design, construct, manage,
847 operate and maintain solid waste disposal and processing facilities on
848 their behalf;

849 (15) Design and construct improvements or alterations on properties
850 which it owns or which it operates by contract on behalf of municipal
851 or regional authorities, including the restoration of terminated dumps

852 and landfills to beneficial public or private use;

853 (16) Contract for services in the performance of architectural and
854 engineering design, the supervision of design and construction, system
855 management and facility management; for such professional or
856 technical services as are specified in subdivision (3) of section 22a-265;
857 and for such other professional or technical services as may require
858 either prequalification of a contractor or the submission by any
859 individual, firm or consortium or association of individuals or firms of
860 a proposal in response to an official request for proposal or similar
861 written communication of the authority that is issued or made
862 pursuant to the contracting procedures adopted under section 22a-
863 268a, whenever such services are, in the discretion of the authority,
864 deemed necessary, desirable or convenient in carrying out the
865 purposes of the authority;

866 (17) Contract for the construction of solid waste facilities with
867 private persons or firms, or consortia of such persons or firms,
868 pursuant to applicable provisions of this chapter, the requirements of
869 applicable regulations, the contracting procedures adopted under
870 section 22a-268a and the state plan and in accordance with such
871 specifications, terms and conditions as the authority may deem
872 necessary or advisable;

873 (18) Assist in the development of industries and commercial
874 enterprises and the planning, design, construction, financing,
875 management, ownership, operation and maintenance of systems,
876 facilities and technology within the state based upon or related to
877 resources recovery, recycling, reuse, treatment, processing or disposal
878 of solid waste provided any net revenue to the authority from
879 activities, contracts, products or processes undertaken pursuant to this
880 subdivision shall be distributed so as to reduce the costs of other
881 authority services to the users thereof on a pro rata basis proportionate
882 to costs paid by such users;

883 (19) Act as an electric supplier or an electric aggregator pursuant to

884 public act 98-28 provided any net revenue to the authority from
885 activities, contracts, products or processes undertaken pursuant to this
886 subdivision, after payment of principal and interest on bonds and
887 repayment of any loans or notes of the authority, shall be distributed
888 so as to reduce the costs of other authority services to the users thereof
889 on a pro rata basis proportionate to costs paid by such users. In acting
890 as an electric supplier or an electric aggregator pursuant to any license
891 granted by the Public Utilities Regulatory Authority, the authority
892 may enter into contracts for the purchase and sale of electricity and
893 electric generation services, provided such contracts are solely for the
894 purposes of ensuring the provision of safe and reliable electric service
895 and protecting the position of the authority with respect to capacity
896 and price.

897 Sec. 17. Subsection (d) of section 22a-208a of the general statutes is
898 repealed and the following is substituted in lieu thereof (*Effective from*
899 *passage*):

900 (d) (1) No person or municipality that holds a permit issued under
901 this section shall alter the design or method of operation of the
902 permitted facility without first obtaining a modified permit. For the
903 purposes of this section and sections 22a-208, 22a-208b, 22a-220a, 22a-
904 225 and 22a-226, "alter" means to change to any substantive degree the
905 design, capacity, volume process or operation of a solid waste facility
906 and includes, but is not limited to, changes in the approved capacity or
907 composition of solid waste disposed of, processed, reduced, stored or
908 recycled at the facility. For purposes of this section, "alter" does not
909 include the addition of not more than seventy-five tons per day of
910 mattresses and items designated by the commissioner for recycling
911 pursuant to section 22a-241b and any regulation adopted pursuant to
912 said section, except storage batteries and waste oil, provided the
913 permitted storage capacity of such solid waste facility is not exceeded.
914 The owner or operator of any such facility shall, not later than thirty
915 days after adding such recyclable items, submit a written notification
916 to the commissioner describing such addition. The commissioner may

917 approve, in writing, a modification of a closure plan for a closed
918 permitted solid waste disposal area without modifying the permit for
919 such area. The commissioner may require a person who, or a
920 municipality that, requests such modification to provide public notice
921 of a proposed modification of a closure plan if the modification
922 involves any activity that would disrupt the solid waste or change the
923 use of the solid waste disposal area. A fee of five hundred dollars shall
924 accompany any request for such modification of a closure plan. The
925 commissioner may reduce or waive such fee in cases of financial
926 hardship and may modify such fee in accordance with regulations
927 adopted in accordance with chapter 54.

928 (2) Changes in design, processes or operations, including the
929 addition of thermal oxidizers or other air pollution control equipment,
930 made to mitigate, correct or abate odors from a solid waste facility that
931 is owned or operated by the Connecticut Resources Recovery
932 Authority and that contracts with more than fifty municipalities, shall
933 not be considered an alteration requiring a modified permit or minor
934 permit amendment under this chapter. In addition, notwithstanding
935 any provision of the general statutes or regulation adopted pursuant to
936 said statutes, any such change shall not be considered a modification
937 or new stationary source requiring a permit to construct or operate
938 under chapter 446c or under any regulation adopted pursuant to
939 chapter 446c, unless such change is a major modification or a major
940 stationary source requiring a permit under the federal Clean Air Act
941 Amendments of 1990. Any person making any such change to an odor
942 control system at such a facility shall, not more than thirty days after
943 making such change, submit a written report to the commissioner fully
944 describing the changes made and the reason for such changes for the
945 commissioner's review and comment. Nothing in this subdivision shall
946 affect the commissioner's authority to take any other action to enforce
947 the requirements of this title.

948 Sec. 18. Subsection (c) of section 22a-261 of the 2014 supplement to
949 the general statutes is repealed and the following is substituted in lieu

950 thereof (*Effective from passage*)

951 (c) On and after June 1, 2002, the powers of the authority shall be
952 vested in and exercised by a board of directors, which shall consist of
953 eleven directors as follows: Three appointed by the Governor, one of
954 whom shall be a municipal official of a municipality having a
955 population of fifty thousand or less and one of whom shall have
956 extensive, high-level experience in the energy field; two appointed by
957 the president pro tempore of the Senate, one of whom shall be a
958 municipal official of a municipality having a population of more than
959 fifty thousand and one of whom shall have extensive high-level
960 experience in public or corporate finance or business or industry; two
961 appointed by the speaker of the House of Representatives, one of
962 whom shall be a municipal official of a municipality having a
963 population of more than fifty thousand and one of whom shall have
964 extensive high-level experience in public or corporate finance or
965 business or industry; two appointed by the minority leader of the
966 Senate, one of whom shall be a municipal official of a municipality
967 having a population of fifty thousand or less and one of whom shall
968 have extensive high-level experience in public or corporate finance or
969 business or industry; two appointed by the minority leader of the
970 House of Representatives, one of whom shall be a municipal official of
971 a municipality having a population of fifty thousand or less and one of
972 whom shall have extensive, high-level experience in the environmental
973 field. No director may be a member of the General Assembly. Not
974 more than two of the directors appointed by the Governor shall be
975 members of the same political party. The appointed directors shall
976 serve for terms of four years each, provided, of the directors first
977 appointed for terms beginning on June 1, 2002, (1) two of the directors
978 appointed by the Governor, one of the directors appointed by the
979 president pro tempore of the Senate, one of the directors appointed by
980 the speaker of the House of Representatives, one of the directors
981 appointed by the minority leader of the Senate and one of the directors
982 appointed by the minority leader of the House of Representatives shall
983 serve an initial term of two years and one month, and (2) the other

984 appointed directors shall serve an initial term of four years and one
985 month. The appointment of each director for a term beginning on or
986 after June 1, 2004, shall be made with the advice and consent of both
987 houses of the General Assembly. The Governor shall designate one of
988 the directors to serve as chairperson of the board, with the advice and
989 consent of both houses of the General Assembly. The chairperson of
990 the board shall serve at the pleasure of the Governor. Any appointed
991 director who fails to attend three consecutive meetings of the board or
992 who fails to attend fifty per cent of all meetings of the board held
993 during any calendar year shall be deemed to have resigned from the
994 board. Any vacancy occurring other than by expiration of term shall be
995 filled in the same manner as the original appointment for the balance
996 of the unexpired term. As used in this subsection, "municipal official"
997 means the first selectman, mayor, city or town manager or chief
998 financial officer of a municipality, or a municipal employee with
999 extensive public works or waste management and recycling experience
1000 that has entered into a solid waste disposal services contract with the
1001 authority and pledged the municipality's full faith and credit for the
1002 payment of obligations under such contract.

1003 Sec. 19. Subsection (g) of section 16a-48 of the 2014 supplement to
1004 the general statutes is repealed and the following is substituted in lieu
1005 thereof (*Effective October 1, 2014*):

1006 (g) Manufacturers of any new products set forth in subsection (b) of
1007 this section [or designated by the Commissioner of Energy and
1008 Environmental Protection] for which (1) no efficiency standards exist
1009 in California, and (2) the Commissioner of Energy and Environmental
1010 Protection adopts efficiency standards, shall certify to the
1011 commissioner that such products are in compliance with the
1012 provisions of this section, except that certification is not required for
1013 single voltage external AC to DC power supplies and walk-in
1014 refrigerators and walk-in freezers. All single voltage external AC to DC
1015 power supplies shall be labeled as described in the January 2006
1016 California Code of Regulations, Title 20, Section 1607(9). The

1017 commissioner shall promulgate regulations governing the certification
1018 of such products. The commissioner shall publish an annual list of
1019 [such products] any products set forth in subsection (b) of this section
1020 on the department's Internet web site that designates which such
1021 products are certified in California and which such products not
1022 certified in California have demonstrated compliance with efficiency
1023 standards adopted by the commissioner pursuant to subparagraph (B)
1024 of subdivision (3) of subsection (d) of this section.

1025 Sec. 20. Section 16a-38k of the general statutes is repealed and the
1026 following is substituted in lieu thereof (*Effective October 1, 2014*):

1027 (a) Notwithstanding any provision of the general statutes, any (1)
1028 new construction of a state facility that is projected to cost five million
1029 dollars, or more, and for which all budgeted project bond funds are
1030 allocated by the State Bond Commission on or after January 1, 2008, (2)
1031 renovation of a state facility that is projected to cost two million dollars
1032 or more, of which two million dollars or more is state funding,
1033 approved and funded on or after January 1, 2008, (3) new construction
1034 of a facility that is projected to cost five million dollars, or more, of
1035 which two million dollars or more is state funding, and is authorized
1036 by the General Assembly pursuant to chapter 173 on or after January 1,
1037 2009, and (4) renovation of a public school facility as defined in
1038 subdivision (18) of section 10-282 that is projected to cost two million
1039 dollars or more, of which two million dollars or more is state funding,
1040 and is authorized by the General Assembly pursuant to chapter 173 on
1041 or after January 1, 2009, shall comply with [or exceed compliance with
1042 the silver building rating of the Leadership in Energy and
1043 Environmental Design's rating system for new commercial
1044 construction and major renovation projects, as established by the
1045 United States Green Building Council, or an equivalent standard,
1046 including, but not limited to, a two-globe rating in the Green Globes
1047 USA design program] the regulations described in subsection (b) of
1048 this section until the regulations described in subsection [(b)] (c) of this
1049 section are adopted. The Commissioner of Energy and Environmental

1050 Protection, in consultation with the Commissioner of Administrative
1051 Services and the Institute for Sustainable Energy, shall exempt any
1052 facility from complying with [said] the regulations adopted pursuant
1053 to subsection (b) or (c) of this section if the Commissioner of Energy
1054 and Environmental Protection, in consultation with the Secretary of the
1055 Office of Policy and Management, finds, in a written analysis, that [the
1056 cost of such compliance significantly outweighs the benefits] the
1057 measures needed to comply with the building construction standards
1058 are not cost effective, as defined in subdivision (8) of subsection (a) of
1059 section 16a-38. Nothing in this section shall be construed to require the
1060 redesign of any new construction of a state facility that is designed in
1061 accordance with the silver building rating of the Leadership in Energy
1062 and Environmental Design's rating system for new commercial
1063 construction and major renovation projects, as established by the
1064 United States Green Building Council, or an equivalent standard,
1065 including, but not limited to, a two-globe rating in the Green Globes
1066 USA design program, provided the design for such facility was
1067 initiated or completed prior to the adoption of the regulations
1068 described in subsection (b) of this section.

1069 (b) Not later than January 1, 2007, the Commissioner of Energy and
1070 Environmental Protection, in consultation with the Commissioner of
1071 Administrative Services, shall adopt regulations, in accordance with
1072 the provisions of chapter 54, to adopt state building construction
1073 standards that are consistent with or exceed the silver building rating
1074 of the Leadership in Energy and Environmental Design's rating system
1075 for new commercial construction and major renovation projects, as
1076 established by the United States Green Building Council, including
1077 energy standards that exceed those set forth in the 2004 edition of the
1078 American Society of Heating, Ventilating and Air Conditioning
1079 Engineers (ASHRAE) Standard 90.1 by [no] not less than twenty per
1080 cent, or an equivalent standard, including, but not limited to, a two-
1081 globe rating in the Green Globes USA design program, and thereafter
1082 update such regulations as the Commissioner of Energy and
1083 Environmental Protection deems necessary.

1084 (c) Not later than January 1, 2015, the Commissioner of Energy and
1085 Environmental Protection, in consultation with the Commissioner of
1086 Administrative Services, shall adopt regulations, in accordance with
1087 chapter 54, to adopt state building construction standards for facilities
1088 described in subsection (a) of this section that achieve at least seventy-
1089 five points on the United States Environmental Protection Agency's
1090 national energy performance rating system, as determined by said
1091 agency's Energy Star Target Finder tool. Such regulations shall include
1092 a standard for inclusion of electric vehicle charging stations. The
1093 Commissioner of Energy and Environmental Protection may update
1094 such regulations as the commissioner deems necessary.

1095 (d) The Commissioner of Energy and Environmental Protection, in
1096 consultation with the Commissioner of Administrative Services and
1097 the Institute for Sustainable Energy, shall exempt any facility from
1098 complying with the regulations adopted pursuant to subsection (c) of
1099 this section if such facility cannot be defined as an eligible building
1100 type, as determined by the Energy Star Target Finder tool. Any such
1101 exempt facility shall exceed the energy building construction
1102 standards set forth in the 2007 edition of the American Society of
1103 Heating, Ventilating and Air Conditioning Engineers (ASHRAE)
1104 Standard 90.1 by not less than twenty per cent, or adhere to the current
1105 State Building Code, whichever is more stringent.

1106 Sec. 21. Subsection (a) of section 12-268s of the 2014 supplement to
1107 the general statutes is repealed and the following is substituted in lieu
1108 thereof (*Effective from passage*):

1109 (a) As used in this section:

1110 (1) "Person" has the same meaning as provided in section 12-1;

1111 (2) "Electric generation services" has the same meaning as provided
1112 in section 16-1;

1113 (3) "Electric generation facility" means electric generation facility, as
1114 the term is used in section 12-94d;

1115 (4) "Regional bulk power grid" means regional bulk power grid, as
1116 [the term is used in section 16a-7b] determined in consultation with the
1117 regional independent system operator, as defined in section 16-1;

1118 (5) "Alternative energy system" has the same meaning as provided
1119 in subdivision (21) of subsection (a) of section 12-213;

1120 (6) "Fuel cells" has the same meaning as provided in subdivision
1121 (113) of section 12-412;

1122 (7) "Commissioner" means the Commissioner of Revenue Services;

1123 (8) "Department" means the Department of Revenue Services; and

1124 (9) "Person subject to tax" means a person providing electric
1125 generation services and uploading electricity generated at such
1126 person's electric generation facility in this state to the regional bulk
1127 power grid.

1128 Sec. 22. (*Effective from passage*) (a) NuPower Thermal, LLC, with such
1129 persons who shall be associated with it and each other for that
1130 purpose, are constituted a body politic and corporate by the name of
1131 "The Bridgeport Thermal Limited Liability Company" and shall
1132 constitute a thermal energy transportation company, as defined in
1133 subsection (a) of section 16-1 of the general statutes.

1134 (b) The Bridgeport Thermal Limited Liability Company shall be
1135 located in the city of Bridgeport.

1136 (c) Notwithstanding the provisions of any general statute or any
1137 special act, The Bridgeport Thermal Limited Liability Company is
1138 authorized and empowered either directly or through the agency of its
1139 parent, a subsidiary or an affiliate: (1) To furnish from a plant or plants
1140 located in the city of Bridgeport, heat or air conditioning or both, by
1141 means of hot or chilled water or other medium; (2) to lay, install and
1142 maintain mains, pipes or other conduits, and to erect such other
1143 fixtures and improvements as are or may be necessary or convenient in

1144 and on the streets, highways and public grounds of said city or other
1145 public highways and rights-of-way, for the purpose of carrying heated
1146 or chilled water or other medium from such plant or plants to the
1147 locations to be served and returning the same; and (3) to lease to one or
1148 more corporations or limited liability companies formed under the
1149 general law or specially chartered for the purpose of furnishing heat or
1150 air conditioning, or both, one or more of such plants or distribution
1151 systems, or both, owned by it and constructed or adapted for either or
1152 both of such purposes.

1153 (d) The amount of authorized membership units of The Bridgeport
1154 Thermal Limited Liability Company and the required capital
1155 contribution of each member shall be determined by the members of
1156 said limited liability company in its operating agreement.

1157 (e) The duration of The Bridgeport Thermal Limited Liability
1158 Company shall be unlimited.

1159 Sec. 23. Section 16-50i of the general statutes is repealed and the
1160 following is substituted in lieu thereof (*Effective from passage*):

1161 As used in this chapter:

1162 (a) "Facility" means: (1) An electric transmission line of a design
1163 capacity of sixty-nine kilovolts or more, including associated
1164 equipment but not including a transmission line tap, as defined in
1165 subsection (e) of this section; (2) a fuel transmission facility, except a
1166 gas transmission line having a design capability of less than two
1167 hundred pounds per square inch gauge pressure or having a design
1168 capacity of less than twenty per cent of its specified minimum yield
1169 strength; (3) any electric generating or storage facility using any fuel,
1170 including nuclear materials, including associated equipment for
1171 furnishing electricity but not including an emergency generating
1172 device, as defined in subsection (f) of this section or a facility [(i)] (A)
1173 owned and operated by a private power producer, as defined in
1174 section 16-243b, [(ii)] (B) which is a qualifying small power production

1175 facility or a qualifying cogeneration facility under the Public Utility
1176 Regulatory Policies Act of 1978, as amended, or a facility determined
1177 by the council to be primarily for a producer's own use, and [(iii)] (C)
1178 which has, in the case of a facility utilizing renewable energy sources, a
1179 generating capacity of one megawatt of electricity or less and, in the
1180 case of a facility utilizing cogeneration technology, a generating
1181 capacity of twenty-five megawatts of electricity or less; (4) any electric
1182 substation or switchyard designed to change or regulate the voltage of
1183 electricity at sixty-nine kilovolts or more or to connect two or more
1184 electric circuits at such voltage, which substation or switchyard may
1185 have a substantial adverse environmental effect, as determined by the
1186 council established under section 16-50j, and other facilities which may
1187 have a substantial adverse environmental effect as the council may, by
1188 regulation, prescribe; (5) such community antenna television towers
1189 and head-end structures, including associated equipment, which may
1190 have a substantial adverse environmental effect, as said council shall,
1191 by regulation, prescribe; and (6) such telecommunication towers,
1192 including associated telecommunications equipment, owned or
1193 operated by the state, a public service company or a certified
1194 telecommunications provider or used in a cellular system, as defined
1195 in the Code of Federal Regulations Title 47, Part 22, as amended, which
1196 may have a substantial adverse environmental effect, as said council
1197 shall, by regulation, prescribe; [and (7) any component of a proposal
1198 submitted pursuant to the request for proposal process;]

1199 (b) "Municipality" means a city, town or borough of the state and
1200 "municipal" has a correlative meaning;

1201 (c) "Person" means any individual, corporation, limited liability
1202 company, joint venture, public benefit corporation, political
1203 subdivision, governmental agency or authority, municipality,
1204 partnership, association, trust or estate and any other entity, public or
1205 private, however organized;

1206 (d) "Modification" means a significant change or alteration in the
1207 general physical characteristics of a facility;

1208 (e) "Transmission line tap" means an electrical transmission line not
1209 requested by an applicant to be treated as a facility that has the
1210 primary function, as determined by the council, of interconnecting a
1211 private power producing or cogeneration facility to the electrical
1212 power grid serving the state, and does not have a substantial adverse
1213 environmental effect, as determined by the council based on a review
1214 of the line's proposed purpose, the line's proposed length, the number
1215 and type of support structures, the number of manholes required for
1216 the proposed line, the necessity of entering a right-of-way including
1217 any easements or land acquisition for any construction or maintenance
1218 on the proposed line, and any other environmental, health or public
1219 safety factor considered relevant by the council;

1220 (f) "Emergency generating device" means an electric generating
1221 device with a generating capacity of five megawatts or less, installed
1222 primarily for the purpose of producing emergency backup electrical
1223 power for not more than five hundred hours per year, and that (1)
1224 does not have a substantial adverse environmental effect, as
1225 determined by the council, or (2) is owned and operated by an entity
1226 other than an electric, electric distribution or gas company or (3) is
1227 under construction or in operation prior to May 2, 1989. [; and]

1228 [(g) "Request for proposal process" or "request for proposal" means
1229 the process set forth in section 16a-7c.]

1230 Sec. 24. Subsection (a) of section 16a-40g of the 2014 supplement to
1231 the general statutes is repealed and the following is substituted in lieu
1232 thereof (*Effective from passage*):

1233 (a) As used in this section:

1234 (1) "Energy improvements" means (A) participation in a district
1235 heating and cooling system by qualifying commercial real property,
1236 (B) participation in a microgrid, as defined in section 16-243y,
1237 including any related infrastructure for such microgrid, by qualifying
1238 commercial real property, provided such microgrid and any related

1239 infrastructure incorporate clean energy, as defined in section 16-245n,
1240 as amended by this act, (C) any renovation or retrofitting of qualifying
1241 commercial real property to reduce energy consumption, ~~[(C)]~~ (D)
1242 installation of a renewable energy system to service qualifying
1243 commercial real property, or ~~[(D)]~~ (E) installation of a solar thermal or
1244 geothermal system to service qualifying commercial real property,
1245 provided such renovation, retrofit or installation described in
1246 subparagraph ~~[(B),]~~ (C), ~~[or]~~ (D) or (E) of this subdivision is
1247 permanently fixed to such qualifying commercial real property;

1248 (2) "District heating and cooling system" means a local system
1249 consisting of a pipeline or network providing hot water, chilled water
1250 or steam from one or more sources to multiple buildings;

1251 (3) "Qualifying commercial real property" means any commercial or
1252 industrial property, regardless of ownership, that meets the
1253 qualifications established for the commercial sustainable energy
1254 program;

1255 (4) "Commercial or industrial property" means any real property
1256 other than a residential dwelling containing less than five dwelling
1257 units;

1258 (5) "Benefited property owner" means an owner of qualifying
1259 commercial real property who desires to install energy improvements
1260 and provides free and willing consent to the benefit assessment against
1261 the qualifying commercial real property;

1262 (6) "Commercial sustainable energy program" means a program that
1263 facilitates energy improvements and utilizes the benefit assessments
1264 authorized by this section as security for the financing of the energy
1265 improvements;

1266 (7) "Municipality" means a municipality, as defined in section 7-369;

1267 (8) "Benefit assessment" means the assessment authorized by this
1268 section;

1269 (9) "Participating municipality" means a municipality that has
1270 entered into a written agreement, as approved by its legislative body,
1271 with the authority pursuant to which the municipality has agreed to
1272 assess, collect, remit and assign, benefit assessments to the authority in
1273 return for energy improvements for benefited property owners within
1274 such municipality and costs reasonably incurred in performing such
1275 duties; and

1276 (10) "Authority" means the [Clean Energy Finance and Investment
1277 Authority] Connecticut Green Bank.

1278 Sec. 25. (*Effective from passage*) Not later than January 1, 2015, the
1279 Connecticut Green Bank shall submit a report, in accordance with the
1280 provisions of section 11-4a of the general statutes, to the joint standing
1281 committee of the General Assembly having cognizance of matters
1282 relating to energy. Such report shall assess the potential success and
1283 need for a residential property assessed clean energy program,
1284 including, but not limited to, an evaluation of (1) potential consistency
1285 between such a program and the commercial property assessed clean
1286 energy program, as described in section 16a-40g of the general statutes,
1287 as amended by this act, and similar programs on the national level, (2)
1288 the legal framework for a residential property assessed clean energy
1289 program, and (3) the need for such a program, in light of similar
1290 current or developing programs at the state or federal level.

1291 Sec. 26. Subdivision (2) of subsection (h) of section 16-244c of the
1292 2014 supplement to the general statutes is repealed and the following
1293 is substituted in lieu thereof (*Effective from passage*):

1294 (2) Notwithstanding the provisions of subsection (b) of this section
1295 regarding an alternative standard service option, an electric
1296 distribution company providing transitional standard offer service,
1297 standard service, supplier of last resort service or back-up electric
1298 generation service in accordance with this section shall, not later than
1299 July 1, 2008, file with the Public Utilities Regulatory Authority for its
1300 approval one or more long-term power purchase contracts from Class I

1301 renewable energy source projects with a preference for projects located
1302 in Connecticut that receive funding from the Clean Energy Fund and
1303 that are not less than one megawatt in size, at a price that is either, at
1304 the determination of the project owner, (A) not more than the total of
1305 the comparable wholesale market price for generation plus five and
1306 one-half cents per kilowatt hour, or (B) fifty per cent of the wholesale
1307 market electricity cost at the point at which transmission lines intersect
1308 with each other or interface with the distribution system, plus the
1309 project cost of fuel indexed to natural gas futures contracts on the New
1310 York Mercantile Exchange at the natural gas pipeline interchange
1311 located in Vermillion Parish, Louisiana that serves as the delivery
1312 point for such futures contracts, plus the fuel delivery charge for
1313 transporting fuel to the project, plus five and one-half cents per
1314 kilowatt hour. In its approval of such contracts, the authority shall give
1315 preference to purchase contracts from those projects that would
1316 provide a financial benefit to ratepayers and would enhance the
1317 reliability of the electric transmission system of the state. Such projects
1318 shall be located in this state. The owner of a fuel cell project principally
1319 manufactured in this state shall be allocated all available air emissions
1320 credits and tax credits attributable to the project and no less than fifty
1321 per cent of the energy credits in the Class I renewable energy credits
1322 program established in section 16-245a attributable to the project. On
1323 and after October 1, 2007, and until September 30, 2008, such contracts
1324 shall be comprised of not less than a total, apportioned among each
1325 electric distribution company, of one hundred twenty-five megawatts;
1326 and on and after October 1, 2008, such contracts shall be comprised of
1327 not less than a total, apportioned among each electrical distribution
1328 company, of one hundred fifty megawatts. The Public Utilities
1329 Regulatory Authority shall not issue any order that results in the
1330 extension of any in-service date or contractual arrangement made as a
1331 part of Project 100 or Project 150 beyond the termination date
1332 previously approved by the authority established by the contract,
1333 provided any party to such contract may provide a notice of
1334 termination in accordance with the terms of, and to the extent
1335 permitted under, its contract, except the authority shall grant, upon

1336 request, an extension of the latest of any such in-service date by (i)
1337 twelve months for any project located in a distressed municipality, as
1338 defined in section 32-9p, with a population of more than one hundred
1339 twenty-five thousand, and (ii) not more than [twenty-four] thirty-six
1340 months for any project having a capacity of less than five megawatts,
1341 provided any such project (I) commences construction by April 30,
1342 2015, and (II) the authority has provided previous approval of such
1343 contract. The cost of such contracts and the administrative costs for the
1344 procurement of such contracts directly incurred shall be eligible for
1345 inclusion in the adjustment to any subsequent rates for standard
1346 service, provided such contracts are for a period of time sufficient to
1347 provide financing for such projects, but not less than ten years, and are
1348 for projects which began operation on or after July 1, 2003. Except as
1349 provided in this subdivision, the amount from Class I renewable
1350 energy sources contracted under such contracts shall be applied to
1351 reduce the applicable Class I renewable energy source portfolio
1352 standards. For purposes of this subdivision, the authority's
1353 determination of the comparable wholesale market price for
1354 generation shall be based upon a reasonable estimate. On or before
1355 September 1, 2011, the authority, in consultation with the Office of
1356 Consumer Counsel and the [Clean Energy Finance and Investment
1357 Authority] Connecticut Green Bank, shall study the operation of such
1358 renewable energy contracts and report its findings and
1359 recommendations to the joint standing committee of the General
1360 Assembly having cognizance of matters relating to energy.

1361 Sec. 27. Section 16-50l of the general statutes is repealed and the
1362 following is substituted in lieu thereof (*Effective from passage*):

1363 (a) [(1)] To initiate a certification proceeding, an applicant for a
1364 certificate shall file with the council an application, in such form as the
1365 council may prescribe, accompanied by a filing fee of not more than
1366 twenty-five thousand dollars, which fee shall be established in
1367 accordance with section 16-50t, and a municipal participation fee of
1368 twenty-five thousand dollars to be deposited in the account

1369 established pursuant to section 16-50bb, as amended by this act, except
1370 that an application for a facility described in subdivision (5) or (6) of
1371 subsection (a) of section 16-50i, as amended by this act, shall not pay
1372 such municipal participation fee. An application shall contain such
1373 information as the applicant may consider relevant and the council or
1374 any department or agency of the state exercising environmental
1375 controls may by regulation require, including the following
1376 information:

1377 [(A)] (1) In the case of facilities described in subdivisions (1), (2) and
1378 (4) of subsection (a) of section 16-50i, as amended by this act: [(i)] (A) A
1379 description, including estimated costs, of the proposed transmission
1380 line, substation or switchyard, covering, where applicable
1381 underground cable sizes and specifications, overhead tower design
1382 and appearance and heights, if any, conductor sizes, and initial and
1383 ultimate voltages and capacities; [(ii)] (B) a statement and full
1384 explanation of why the proposed transmission line, substation or
1385 switchyard is necessary and how the facility conforms to a long-range
1386 plan for expansion of the electric power grid serving the state and
1387 interconnected utility systems, that will serve the public need for
1388 adequate, reliable and economic service; [(iii)] (C) a map of suitable
1389 scale of the proposed routing or site, showing details of the rights-of-
1390 way or site in the vicinity of settled areas, parks, recreational areas and
1391 scenic areas, residential areas, private or public schools, licensed child
1392 day care facilities, licensed youth camps, and public playgrounds and
1393 showing existing transmission lines within one mile of the proposed
1394 route or site; [(iv)] (D) justification for adoption of the route or site
1395 selected, including comparison with alternative routes or sites which
1396 are environmentally, technically and economically practical; [(v)] (E) a
1397 description of the effect of the proposed transmission line, substation
1398 or switchyard on the environment, ecology, and scenic, historic and
1399 recreational values; [(vi)] (F) a justification for overhead portions, if
1400 any, including life-cycle cost studies comparing overhead alternatives
1401 with underground alternatives, and effects described in [clause (v) of
1402 this] subparagraph (E) of this subdivision of undergrounding; [(vii)]

1403 (G) a schedule of dates showing the proposed program of right-of-way
1404 or property acquisition, construction, completion and operation; [(viii)]
1405 (H) identification of each federal, state, regional, district and municipal
1406 agency with which proposed route or site reviews have been
1407 undertaken, including a copy of each written agency position on such
1408 route or site; and [(ix)] (I) an assessment of the impact of any
1409 electromagnetic fields to be produced by the proposed transmission
1410 line; and

1411 [(B)] (2) In the case of facilities described in subdivision (3) of
1412 subsection (a) of section 16-50i, as amended by this act: [(i)] (A) A
1413 description of the proposed electric generating or storage facility; [(ii)]
1414 (B) a statement and full explanation of why the proposed facility is
1415 necessary; [(iii)] (C) a statement of loads and resources as described in
1416 section 16-50r; [(iv)] (D) safety and reliability information, including
1417 planned provisions for emergency operations and shutdowns; [(v)] (E)
1418 estimated cost information, including plant costs, fuel costs, plant
1419 service life and capacity factor, and total generating cost per kilowatt-
1420 hour, both at the plant and related transmission, and comparative costs
1421 of alternatives considered; [(vi)] (F) a schedule showing the program
1422 for design, material acquisition, construction and testing, and
1423 operating dates; [(vii)] (G) available site information, including maps
1424 and description and present and proposed development, and
1425 geological, scenic, ecological, seismic, biological, water supply,
1426 population and load center data; [(viii)] (H) justification for adoption
1427 of the site selected, including comparison with alternative sites; [(ix)]
1428 (I) design information, including a description of facilities, plant
1429 efficiencies, electrical connections to the system, and control systems;
1430 [(x)] (J) a description of provisions, including devices and operations,
1431 for mitigation of the effect of the operation of the facility on air and
1432 water quality, for waste disposal, and for noise abatement, and
1433 information on other environmental aspects; and [(xi)] (K) a listing of
1434 federal, state, regional, district and municipal agencies from which
1435 approvals either have been obtained or will be sought covering the
1436 proposed facility, copies of approvals received and the planned

1437 schedule for obtaining those approvals not yet received.

1438 [(2) On or after December 1, 2004, the filing of an application
1439 pursuant to subdivision (1) of this subsection shall initiate the request
1440 for proposal process, except for an application for a facility described
1441 in subdivision (4), (5) or (6) of subsection (a) of section 16-50i and
1442 except for a facility exempt from such requirement pursuant to
1443 subsection (b) of section 16a-7c.

1444 (3) Notwithstanding the provisions of this subsection, an entity that
1445 has submitted a proposal pursuant to the request for proposal process
1446 may initiate a certification proceeding by filing with the council an
1447 application containing the information required pursuant to this
1448 section, accompanied by a filing fee of not more than twenty-five
1449 thousand dollars, which fee shall be established in accordance with
1450 section 16-50t, and a municipal participation fee of twenty-five
1451 thousand dollars to be deposited in the account established pursuant
1452 to section 16-50bb, not later than thirty days after the Connecticut
1453 Energy Advisory Board performs the evaluation process pursuant to
1454 subsection (f) of section 16a-7c.]

1455 (b) Each application shall be accompanied by proof of service of a
1456 copy of such application on: (1) Each municipality in which any
1457 portion of such facility is to be located, both as primarily proposed and
1458 in the alternative locations listed, and any adjoining municipality
1459 having a boundary not more than two thousand five hundred feet
1460 from such facility, which copy shall be served on the chief executive
1461 officer of each such municipality and shall include notice of the date on
1462 or about which the application is to be filed, and the zoning
1463 commissions, planning commissions, planning and zoning
1464 commissions, conservation commissions and inland wetlands agencies
1465 of each such municipality, and the regional planning agencies which
1466 encompass each such municipality; (2) the Attorney General; (3) each
1467 member of the legislature in whose assembly or senate district the
1468 facility or any alternative location listed in the application is to be
1469 located; (4) any agency, department or instrumentality of the federal

1470 government that has jurisdiction, whether concurrent with the state or
1471 otherwise, over any matter that would be affected by such facility; (5)
1472 each state department, agency and commission named in subsection
1473 (h) of section 16-50j; and (6) such other state and municipal bodies as
1474 the council may by regulation designate. A notice of such application
1475 shall be given to the general public, in municipalities entitled to receive
1476 notice under subdivision (1) of this subsection, by the publication of a
1477 summary of such application and the date on or about which it will be
1478 filed. Such notice shall be published under the regulations to be
1479 promulgated by the council, in such form and in such newspapers as
1480 will serve substantially to inform the public of such application and to
1481 afford interested persons sufficient time to prepare for and to be heard
1482 at the hearing prescribed in section 16-50m, as amended by this act.
1483 Such notice shall be published in not less than ten-point type. A notice
1484 of such an application for a certificate for a facility described in
1485 subdivision (3), (4), (5) or (6) of subsection (a) of section 16-50i, as
1486 amended by this act, shall also be sent, by certified or registered mail,
1487 to each person appearing of record as an owner of property which
1488 abuts the proposed primary or alternative sites on which the facility
1489 would be located. Such notice shall be sent at the same time that notice
1490 of such application is given to the general public. Notice of an
1491 application for a certificate for a facility described in subdivision (1) of
1492 subsection (a) of section 16-50i, as amended by this act, shall also be
1493 provided to each electric company or electric distribution company
1494 customer in the municipality where the facility is proposed to be
1495 placed. Such notice shall (A) be provided on a separate enclosure with
1496 each customer's monthly bill for one or more months, (B) be provided
1497 by the electric company or electric distribution company not earlier
1498 than sixty days prior to filing the application with the council, but not
1499 later than the date that the application is filed with the council, and (C)
1500 include: A brief description of the project, including its location
1501 relative to the affected municipality and adjacent streets; a brief
1502 technical description of the project including its proposed length,
1503 voltage, and type and range of heights of support structures or
1504 underground configuration; the reason for the project; the address and

1505 a toll-free telephone number of the applicant by which additional
1506 information about the project can be obtained; and a statement in print
1507 no smaller than twenty-four-point type size stating "NOTICE OF
1508 PROPOSED CONSTRUCTION OF A HIGH VOLTAGE ELECTRIC
1509 TRANSMISSION LINE".

1510 (c) An application for a certificate shall contain information on the
1511 extent to which the proposed facility has been identified in, and is
1512 consistent with, the annual forecast reports and life-cycle cost analysis
1513 required by section 16-50r and other advance planning that has been
1514 carried out, and shall include an explanation for any failure of the
1515 facility to conform with such information.

1516 (d) An amendment proceeding may be initiated by an application
1517 for amendment of a certificate filed with the council by the holder of
1518 the certificate or by a resolution of the council. An amendment
1519 application by a certificate holder shall be in such form and contain
1520 such information as the council shall prescribe. A resolution for
1521 amendment by the council shall identify the design, location or route
1522 of the portion of a certificated facility described in subdivisions (1) or
1523 (2) of subsection (a) of section 16-50i, as amended by this act, which is
1524 subject to modification on the basis of stated conditions or events
1525 which could not reasonably have been known or foreseen prior to the
1526 issuance of the certificate. No such resolution for amendment of a
1527 certificate shall be adopted after the commencement of site preparation
1528 or construction of the certificated facility or, in the case of a facility for
1529 which approval by the council of a right-of-way development and
1530 management plan or other detailed construction plan is a condition of
1531 the certificate, after approval of that part of the plan which includes the
1532 portion of the facility proposed for modification. A copy and notice of
1533 each amendment application shall be given by the holder of the
1534 certificate in the manner set forth in subsection (b) of this section. A
1535 copy and notice of each resolution for amendment shall be given by
1536 the council in the manner set forth in subsection (b) of this section. The
1537 council shall also provide the certificate holder with a copy of such

1538 resolution. The certificate holder and the council shall not be required
1539 to give such copy and notice to municipalities and the commissions
1540 and agencies of such municipalities other than those in which the
1541 modified portion of the facility would be located.

1542 (e) [Except as provided in subsection (e) of section 16a-7c, at] At
1543 least sixty days prior to the filing of an application with the council, the
1544 applicant shall consult with the municipality in which the facility may
1545 be located and with any other municipality required to be served with
1546 a copy of the application under subdivision (1) of subsection (b) of this
1547 section concerning the proposed and alternative sites of the facility.
1548 [For a facility described in subdivisions (1) to (4), inclusive, of
1549 subsection (a) of section 16-50i, the applicant shall submit to the
1550 Connecticut Energy Advisory Board the same information that it
1551 provides to a municipality pursuant to this subsection on the same day
1552 of the consultation with the municipality.] Such consultation with the
1553 municipality shall include, but not be limited to good faith efforts to
1554 meet with the chief elected official of the municipality. At the time of
1555 the consultation, the applicant shall provide the chief elected official
1556 with any technical reports concerning the public need, the site
1557 selection process and the environmental effects of the proposed
1558 facility. The municipality may conduct public hearings and meetings
1559 as it deems necessary for it to advise the applicant of its
1560 recommendations concerning the proposed facility. Within sixty days
1561 of the initial consultation, the municipality shall issue its
1562 recommendations to the applicant. No later than fifteen days after
1563 submitting an application to the council, the applicant shall provide to
1564 the council all materials provided to the municipality and a summary
1565 of the consultations with the municipality including all
1566 recommendations issued by the municipality.

1567 [(f) For purposes of this chapter, an application that is subject to the
1568 request for proposal process of section 16a-7c, shall be deemed to be a
1569 "preapplication" until the completion of the such request for proposal
1570 process. At the completion of the request for proposal process, such

1571 preapplication shall be considered an application. The requirements of
1572 this section shall apply to applications and preapplications.]

1573 [(g)] (f) (1) For a facility described in subdivision (6) of subsection
1574 (a) of section 16-50i, as amended by this act, at least ninety days before
1575 filing an application with the council, the applicant shall consult with
1576 the municipality in which the facility is proposed to be located and
1577 with any other municipality required to be served with a copy of the
1578 application under subdivision (1) of subsection (b) of this section.
1579 Consultation with such municipality shall include, but not be limited
1580 to, good-faith efforts to meet with the chief elected official of the
1581 municipality or such official's designee. At the time of the consultation,
1582 the applicant shall provide the municipality with any technical reports
1583 concerning the need for the facility, including a map indicating the
1584 area of need, the location of existing surrounding facilities, a detailed
1585 description of the proposed and any alternate sites under
1586 consideration, a listing of other sites or areas considered and rejected,
1587 the location of all schools near the proposed facility, an analysis of the
1588 potential aesthetic impacts of the facility on said schools, as well as a
1589 discussion of efforts or measures to be taken to mitigate such aesthetic
1590 impacts, a description of the site selection process undertaken by the
1591 prospective applicant and the potential environmental effects of the
1592 proposed facility. The applicant shall also provide copies of such
1593 technical reports to such municipality's planning commission, zoning
1594 commission or combined planning and zoning commission and inland
1595 wetland agency.

1596 (2) Not later than sixty days after the initial municipal consultation
1597 meeting, the municipality, in cooperation with the applicant, may hold
1598 a public information meeting. If the municipality decides to hold a
1599 public information meeting, the applicant shall be responsible for
1600 sending notice of such meeting to each person appearing of record as
1601 an owner of property which abuts the proposed or alternate facility
1602 locations and for publishing notice of such meeting in a newspaper of
1603 general circulation in the municipality at least fifteen days before the

1604 date of the public information meeting.

1605 (3) The municipality shall present the applicant with proposed
1606 alternative sites, which may include municipal parcels, for its
1607 consideration not later than thirty days after the initial consultation
1608 meeting. The applicant shall evaluate these alternate sites presented as
1609 part of the municipal consultation process and include the results of its
1610 evaluations in its application to the council. The applicant may present
1611 any such alternatives to the council in its application for formal
1612 consideration.

1613 Sec. 28. Subsection (c) of section 16-333l of the general statutes is
1614 repealed and the following is substituted in lieu thereof (*Effective from*
1615 *passage*):

1616 (c) No community antenna television company shall issue a bill
1617 which contains a statement that payment is due upon receipt. The
1618 payment due date of any subscriber's bill shall be no earlier than
1619 twenty-five days after the issue date of such bill. No community
1620 antenna television subscriber's account shall be considered delinquent
1621 until at least twenty-five days have elapsed from the billing date
1622 contained in the subscriber's bill. No community antenna television
1623 company may impose a late charge or terminate service on account of
1624 nonpayment of a delinquent account less than forty-five days from the
1625 original billing date. In order to terminate service, a company shall first
1626 give notice of such delinquency and impending termination at least
1627 fifteen days prior to the imposition of the proposed late charge or the
1628 termination, by first class mail addressed to the subscriber. The fifteen-
1629 day period shall commence from the date the notice is mailed,
1630 provided no notice may be mailed until at least thirty days have
1631 elapsed from the billing date contained in the subscriber's bill. No such
1632 company may impose a late charge greater than eight per cent [per
1633 annum] of the balance due or any such rate as determined by the
1634 authority. Any returned check charge imposed by such company shall
1635 be reasonably related to the company's actual cost of processing
1636 returned checks.

1637 Sec. 29. Section 16-50m of the general statutes is repealed and the
1638 following is substituted in lieu thereof (*Effective from passage*):

1639 (a) The council shall promptly fix a commencement date and
1640 location for a public hearing on an application for a certificate
1641 complying with section 16-50l, as amended by this act, [(1) where no
1642 proposals are received pursuant to the request for proposal process,
1643 not less than thirty days after the deadline for submission of such
1644 proposals or more than sixty days after such deadline; (2) where a
1645 proposal is received pursuant to the request for proposal process, not
1646 less than thirty days after the deadline of submission of an application
1647 pursuant to subdivision (3) of subsection (a) of section 16-50l or more
1648 than sixty days after such deadline; or (3) where the application is for a
1649 facility described in subdivision (5) or (6) of subsection (a) of section
1650 16-50i,] not less than thirty days after receipt of an application or more
1651 than one hundred fifty days after such receipt. [Applications that are
1652 common to a request for proposal shall be heard under a consolidated
1653 public hearing process.] At least one session of such hearing shall be
1654 held at a location selected by the council in the county in which the
1655 facility or any part thereof is to be located after six-thirty p.m. for the
1656 convenience of the general public. After holding at least one hearing
1657 session in the county in which the facility or any part thereof is to be
1658 located, the council may, in its discretion, hold additional hearing
1659 sessions at other locations. If the proposed facility is to be located in
1660 more than one county, the council shall fix the location for at least one
1661 public hearing session in whichever county it determines is most
1662 appropriate, provided the council may hold hearing sessions in more
1663 than one county.

1664 (b) (1) The council shall hold a hearing on an application for an
1665 amendment of a certificate not less than thirty days nor more than
1666 sixty days after receipt of the application in the same manner as a
1667 hearing is held on an application for a certificate if, in the opinion of
1668 the council, the change to be authorized in the facility would result in
1669 any material increase in any environmental impact of such facility or

1670 would result in a substantial change in the location of all or a portion
1671 of the facility, other than as provided in the alternatives set forth in the
1672 original application for the certificate, provided the council may, in its
1673 discretion, return without prejudice an application for an amendment
1674 of a certificate to the applicant with a statement of the reasons for such
1675 return. (2) The council may hold a hearing on a resolution for
1676 amendment of a certificate not less than thirty days nor more than
1677 sixty days after adoption of the resolution in the same manner as
1678 provided in subsection (a) of this section. The council shall hold a
1679 hearing if a request for a hearing is received from the certificate holder
1680 or from a person entitled to be a party to the proceedings within
1681 twenty days after publication of notice of the resolution. Such hearing
1682 shall be held not less than thirty days nor more than sixty days after
1683 the receipt of such request in the same manner as provided in
1684 subsection (a) of this section. (3) The county in which the facility is
1685 deemed to be located for purposes of a hearing under this subsection
1686 shall be the county in which the portion of the facility proposed for
1687 modification is located.

1688 (c) The council shall cause notices of the date and location of each
1689 hearing to be mailed, within one week of the fixing of the date and
1690 location, to the applicant and each person entitled under section 16-50l,
1691 as amended by this act, to receive a copy of the application or
1692 resolution. The general notice to the public shall be published in not
1693 less than ten point, boldface type.

1694 (d) Hearings, including general hearings on issues which may be
1695 common to more than one application, may be held before a majority
1696 of the members of the council.

1697 (e) During any hearing on an application or resolution held
1698 pursuant to this section, the council may take notice of any facts found
1699 at a general hearing.

1700 Sec. 30. Section 16-245n of the general statutes is repealed and the
1701 following is substituted in lieu thereof (*Effective from passage*):

1702 (a) For purposes of this section, "clean energy" means solar
1703 photovoltaic energy, solar thermal, geothermal energy, wind, ocean
1704 thermal energy, wave or tidal energy, fuel cells, landfill gas,
1705 hydropower that meets the low-impact standards of the Low-Impact
1706 Hydropower Institute, hydrogen production and hydrogen conversion
1707 technologies, low emission advanced biomass conversion technologies,
1708 alternative fuels, used for electricity generation including ethanol,
1709 biodiesel or other fuel produced in Connecticut and derived from
1710 agricultural produce, food waste or waste vegetable oil, provided the
1711 Commissioner of Energy and Environmental Protection determines
1712 that such fuels provide net reductions in greenhouse gas emissions
1713 and fossil fuel consumption, usable electricity from combined heat and
1714 power systems with waste heat recovery systems, thermal storage
1715 systems, other energy resources and emerging technologies which
1716 have significant potential for commercialization and which do not
1717 involve the combustion of coal, petroleum or petroleum products,
1718 municipal solid waste or nuclear fission, financing of energy efficiency
1719 projects, projects that seek to deploy electric, electric hybrid, natural
1720 gas or alternative fuel vehicles and associated infrastructure, any
1721 related storage, distribution, manufacturing technologies or facilities
1722 and any Class I renewable energy source, as defined in section 16-1.

1723 (b) On and after July 1, 2004, the Public Utilities Regulatory
1724 Authority shall assess or cause to be assessed a charge of not less than
1725 one mill per kilowatt hour charged to each end use customer of electric
1726 services in this state which shall be deposited into the Clean Energy
1727 Fund established under subsection (c) of this section. Notwithstanding
1728 the provisions of this section, receipts from such charges shall be
1729 disbursed to the resources of the General Fund during the period from
1730 July 1, 2003, to June 30, 2005, unless the authority shall, on or before
1731 October 30, 2003, issue a financing order for each affected distribution
1732 company in accordance with sections 16-245e to 16-245k, inclusive, to
1733 sustain funding of renewable energy investment programs by
1734 substituting an equivalent amount, as determined by the authority in
1735 such financing order, of proceeds of rate reduction bonds for

1736 disbursement to the resources of the General Fund during the period
1737 from July 1, 2003, to June 30, 2005. The authority may authorize in such
1738 financing order the issuance of rate reduction bonds that substitute for
1739 disbursement to the General Fund for receipts of both charges under
1740 this subsection and subsection (a) of section 16-245m and also may in
1741 its discretion authorize the issuance of rate reduction bonds under this
1742 subsection and subsection (a) of section 16-245m that relate to more
1743 than one electric distribution company. The authority shall, in such
1744 financing order or other appropriate order, offset any increase in the
1745 competitive transition assessment necessary to pay principal,
1746 premium, if any, interest and expenses of the issuance of such rate
1747 reduction bonds by making an equivalent reduction to the charges
1748 imposed under this subsection, provided any failure to offset all or any
1749 portion of such increase in the competitive transition assessment shall
1750 not affect the need to implement the full amount of such increase as
1751 required by this subsection and sections 16-245e to 16-245k, inclusive.
1752 Such financing order shall also provide if the rate reduction bonds are
1753 not issued, any unrecovered funds expended and committed by the
1754 electric distribution companies for renewable resource investment
1755 through deposits into the Clean Energy Fund, provided such
1756 expenditures were approved by the authority following August 20,
1757 2003, and prior to the date of determination that the rate reduction
1758 bonds cannot be issued, shall be recovered by the companies from
1759 their respective competitive transition assessment or systems benefits
1760 charge, except that such expenditures shall not exceed one million
1761 dollars per month. All receipts from the remaining charges imposed
1762 under this subsection, after reduction of such charges to offset the
1763 increase in the competitive transition assessment as provided in this
1764 subsection, shall be disbursed to the Clean Energy Fund commencing
1765 as of July 1, 2003. Any increase in the competitive transition
1766 assessment or decrease in the renewable energy investment
1767 component of an electric distribution company's rates resulting from
1768 the issuance of or obligations under rate reduction bonds shall be
1769 included as rate adjustments on customer bills.

1770 (c) There is hereby created a Clean Energy Fund which shall be
1771 within the [Clean Energy Finance and Investment Authority]
1772 Connecticut Green Bank. The fund may receive any amount required
1773 by law to be deposited into the fund and may receive any federal
1774 funds as may become available to the state for clean energy
1775 investments. Upon authorization of the [Clean Energy Finance and
1776 Investment Authority] Connecticut Green Bank established pursuant
1777 to subsection (d) of this section, any amount in said fund may be used
1778 for expenditures that promote investment in clean energy in
1779 accordance with a comprehensive plan developed by it to foster the
1780 growth, development and commercialization of clean energy sources,
1781 related enterprises and stimulate demand for clean energy and
1782 deployment of clean energy sources that serve end use customers in
1783 this state and for the further purpose of supporting operational
1784 demonstration projects for advanced technologies that reduce energy
1785 use from traditional sources. Such expenditures may include, but not
1786 be limited to, providing low-cost financing and credit enhancement
1787 mechanisms for clean energy projects and technologies,
1788 reimbursement of the operating expenses, including administrative
1789 expenses incurred by the [Clean Energy Finance and Investment
1790 Authority] Connecticut Green Bank and Connecticut Innovations,
1791 Incorporated, and capital costs incurred by the [Clean Energy Finance
1792 and Investment Authority] Connecticut Green Bank in connection with
1793 the operation of the fund, the implementation of the plan developed
1794 pursuant to subsection (d) of this section or the other permitted
1795 activities of the [Clean Energy Finance and Investment Authority]
1796 Connecticut Green Bank, disbursements from the fund to develop and
1797 carry out the plan developed pursuant to subsection (d) of this section,
1798 grants, direct or equity investments, contracts or other actions which
1799 support research, development, manufacture, commercialization,
1800 deployment and installation of clean energy technologies, and actions
1801 which expand the expertise of individuals, businesses and lending
1802 institutions with regard to clean energy technologies.

1803 (d) (1) (A) There is established the [Clean Energy Finance and

1804 Investment Authority] Connecticut Green Bank, which shall be within
1805 Connecticut Innovations, Incorporated, for administrative purposes
1806 only. The [Clean Energy Finance and Investment Authority]
1807 Connecticut Green Bank is hereby established and created as a body
1808 politic and corporate, constituting a public instrumentality and
1809 political subdivision of the state of Connecticut established and created
1810 for the performance of an essential public and governmental function.
1811 The [Clean Energy Finance and Investment Authority] Connecticut
1812 Green Bank shall not be construed to be a department, institution or
1813 agency of the state.

1814 (B) The [Clean Energy Finance and Investment Authority]
1815 Connecticut Green Bank shall (i) develop separate programs to finance
1816 and otherwise support clean energy investment in residential,
1817 municipal, small business and larger commercial projects and such
1818 others as the [Clean Energy Finance and Investment Authority]
1819 Connecticut Green Bank may determine; (ii) support financing or other
1820 expenditures that promote investment in clean energy sources in
1821 accordance with a comprehensive plan developed by it to foster the
1822 growth, development and commercialization of clean energy sources
1823 and related enterprises; and (iii) stimulate demand for clean energy
1824 and the deployment of clean energy sources within the state that serve
1825 end-use customers in the state.

1826 (C) The Clean Energy Finance and Investment Authority shall
1827 constitute a successor agency to Connecticut Innovations,
1828 Incorporated, for the purposes of administering the Clean Energy
1829 Fund in accordance with section 4-38d. The [Clean Energy Finance and
1830 Investment Authority] Connecticut Green Bank shall constitute a
1831 successor agency to the Clean Energy Finance and Investment
1832 Authority for purposes of administering the Clean Energy Fund in
1833 accordance with section 4-38d. The Connecticut Green Bank shall have
1834 all the privileges, immunities, tax exemptions and other exemptions of
1835 Connecticut Innovations, Incorporated, with respect to said fund. The
1836 [Clean Energy Finance and Investment Authority] Connecticut Green

1837 Bank shall be subject to suit and liability solely from the assets,
1838 revenues and resources of said [authority] bank and without recourse
1839 to the general funds, revenues, resources or other assets of Connecticut
1840 Innovations, Incorporated. The [Clean Energy Finance and Investment
1841 Authority] Connecticut Green Bank may provide financial assistance
1842 in the form of grants, loans, loan guarantees or debt and equity
1843 investments, as approved in accordance with written procedures
1844 adopted pursuant to section 1-121. The [Clean Energy Finance and
1845 Investment Authority] Connecticut Green Bank may assume or take
1846 title to any real property, convey or dispose of its assets and pledge its
1847 revenues to secure any borrowing, convey or dispose of its assets and
1848 pledge its revenues to secure any borrowing, for the purpose of
1849 developing, acquiring, constructing, refinancing, rehabilitating or
1850 improving its assets or supporting its programs, provided each such
1851 borrowing or mortgage, unless otherwise provided by the board or
1852 said [authority] bank, shall be a special obligation of said [authority]
1853 bank, which obligation may be in the form of bonds, bond anticipation
1854 notes or other obligations which evidence an indebtedness to the
1855 extent permitted under this chapter to fund, refinance and refund the
1856 same and provide for the rights of holders thereof, and to secure the
1857 same by pledge of revenues, notes and mortgages of others, and which
1858 shall be payable solely from the assets, revenues and other resources of
1859 said [authority] bank and such bonds may be secured by a special
1860 capital reserve fund contributed to by the state. The [Clean Energy
1861 Finance and Investment Authority] Connecticut Green Bank shall have
1862 the purposes as provided by resolution of said [authority's] bank's
1863 board of directors, which purposes shall be consistent with this section.
1864 No further action is required for the establishment of the [Clean
1865 Energy Finance and Investment Authority] Connecticut Green Bank,
1866 except the adoption of a resolution for said [authority] bank.

1867 (2) (A) The [Clean Energy Finance and Investment Authority]
1868 Connecticut Green Bank may seek to qualify as a Community
1869 Development Financial Institution under Section 4702 of the United
1870 States Code. If approved as a Community Development Financial

1871 Institution, said [authority] bank would be treated as a qualified
1872 community development entity for purposes of Section 45D and
1873 Section 1400N(m) of the Internal Revenue Code.

1874 (B) Before making any loan, loan guarantee, or such other form of
1875 financing support or risk management for a clean energy project, the
1876 [Clean Energy Finance and Investment Authority] Connecticut Green
1877 Bank shall develop standards to govern the administration of said
1878 [authority] bank through rules, policies and procedures that specify
1879 borrower eligibility, terms and conditions of support, and other
1880 relevant criteria, standards or procedures.

1881 (C) Funding sources specifically authorized include, but are not
1882 limited to:

1883 (i) Funds repurposed from existing programs providing financing
1884 support for clean energy projects, provided any transfer of funds from
1885 such existing programs shall be subject to approval by the General
1886 Assembly and shall be used for expenses of financing, grants and
1887 loans;

1888 (ii) Any federal funds that can be used for the purposes specified in
1889 subsection (c) of this section;

1890 (iii) Charitable gifts, grants, contributions as well as loans from
1891 individuals, corporations, university endowments and philanthropic
1892 foundations;

1893 (iv) Earnings and interest derived from financing support activities
1894 for clean energy projects backed by the [Clean Energy Finance and
1895 Investment Authority] Connecticut Green Bank;

1896 (v) If and to the extent that the [Clean Energy Finance and
1897 Investment Authority] Connecticut Green Bank qualifies as a
1898 Community Development Financial Institution under Section 4702 of
1899 the United States Code, funding from the Community Development
1900 Financial Institution Fund administered by the United States

1901 Department of Treasury, as well as loans from and investments by
1902 depository institutions seeking to comply with their obligations under
1903 the United States Community Reinvestment Act of 1977; and

1904 (vi) The [Clean Energy Finance and Investment Authority]
1905 Connecticut Green Bank may enter into contracts with private sources
1906 to raise capital. The average rate of return on such debt or equity shall
1907 be set by the board of directors of said [authority] bank.

1908 (D) The [Clean Energy Finance and Investment Authority]
1909 Connecticut Green Bank may provide financing support under this
1910 subsection if said [authority] bank determines that the amount to be
1911 financed by said [authority] bank and other nonequity financing
1912 sources do not exceed eighty per cent of the cost to develop and
1913 deploy a clean energy project or up to one hundred per cent of the cost
1914 of financing an energy efficiency project.

1915 (E) The [Clean Energy Finance and Investment Authority]
1916 Connecticut Green Bank may assess reasonable fees on its financing
1917 activities to cover its reasonable costs and expenses, as determined by
1918 the board.

1919 (F) The [Clean Energy Finance and Investment Authority]
1920 Connecticut Green Bank shall make information regarding the rates,
1921 terms and conditions for all of its financing support transactions
1922 available to the public for inspection, including formal annual reviews
1923 by both a private auditor conducted pursuant to subdivision (2) of
1924 subsection (f) of this section and the Comptroller, and providing
1925 details to the public on the Internet, provided public disclosure shall be
1926 restricted for patentable ideas, trade secrets, proprietary or confidential
1927 commercial or financial information, disclosure of which may cause
1928 commercial harm to a nongovernmental recipient of such financing
1929 support and for other information exempt from public records
1930 disclosure pursuant to section 1-210.

1931 (3) No director, officer, employee or agent of the [Clean Energy

1932 Finance and Investment Authority] Connecticut Green Bank, while
1933 acting within the scope of his or her authority, shall be subject to any
1934 personal liability resulting from exercising or carrying out any of the
1935 [Clean Energy Finance and Investment Authority's] Connecticut Green
1936 Bank's purposes or powers.

1937 (e) The powers of the [Clean Energy Finance and Investment
1938 Authority] Connecticut Green Bank shall be vested in and exercised by
1939 a board of directors, which shall consist of eleven voting and two
1940 nonvoting members each with knowledge and expertise in matters
1941 related to the purpose and activities of said [authority] bank appointed
1942 as follows: The Treasurer or the Treasurer's designee, the
1943 Commissioner of Energy and Environmental Protection or the
1944 commissioner's designee and the Commissioner of Economic and
1945 Community Development or the commissioner's designee, each
1946 serving ex officio, one member who shall represent a residential or
1947 low-income group appointed by the speaker of the House of
1948 Representatives for a term of four years, one member who shall have
1949 experience in investment fund management appointed by the minority
1950 leader of the House of Representatives for a term of three years, one
1951 member who shall represent an environmental organization appointed
1952 by the president pro tempore of the Senate for a term of four years,
1953 and one member who shall have experience in the finance or
1954 deployment of renewable energy appointed by the minority leader of
1955 the Senate for a term of four years. Thereafter, such members of the
1956 General Assembly shall appoint members of the board to succeed such
1957 appointees whose terms expire and each member so appointed shall
1958 hold office for a period of four years from the first day of July in the
1959 year of his or her appointment. The Governor shall appoint four
1960 members to the board as follows: Two for two years who shall have
1961 experience in the finance of renewable energy; one for four years who
1962 shall be a representative of a labor organization; and one who shall
1963 have experience in research and development or manufacturing of
1964 clean energy. Thereafter, the Governor shall appoint members of the
1965 board to succeed such appointees whose terms expire and each

1966 member so appointed shall hold office for a period of four years from
1967 the first day of July in the year of his or her appointment. The
1968 president of the [Clean Energy Finance and Investment Authority]
1969 Connecticut Green Bank shall be elected by the members of the board.
1970 The president of the [Clean Energy Finance and Investment Authority]
1971 Connecticut Green Bank and a member of the board of Connecticut
1972 Innovations, Incorporated, appointed by the chairperson of the
1973 corporation shall serve on the board in an ex-officio, nonvoting
1974 capacity. The Governor shall appoint the chairperson of the board. The
1975 board shall elect from its members a vice chairperson and such other
1976 officers as it deems necessary and shall adopt such bylaws and
1977 procedures it deems necessary to carry out its functions. The board
1978 may establish committees and subcommittees as necessary to conduct
1979 its business.

1980 (f) (1) The board shall issue annually a report to the Department of
1981 Energy and Environmental Protection reviewing the activities of the
1982 [Clean Energy Finance and Investment Authority] Connecticut Green
1983 Bank in detail and shall provide a copy of such report, in accordance
1984 with the provisions of section 11-4a, to the joint standing committees of
1985 the General Assembly having cognizance of matters relating to energy
1986 and commerce. The report shall include a description of the programs
1987 and activities undertaken during the reporting period jointly or in
1988 collaboration with the Energy Conservation and Load Management
1989 Funds established pursuant to section 16-245m.

1990 (2) The Clean Energy Fund shall be audited annually. Such audits
1991 shall be conducted with generally accepted auditing standards by
1992 independent certified public accountants certified by the State Board of
1993 Accountancy. Such accountants may be the accountants for the [Clean
1994 Energy Finance and Investment Authority] Connecticut Green Bank.

1995 (3) Any entity that receives financing for a clean energy project from
1996 the fund shall provide the board an annual statement, certified as
1997 correct by the chief financial officer of the recipient of such financing,
1998 setting forth all sources and uses of funds in such detail as may be

1999 required by the [authority of] bank for such project. The [Clean Energy
2000 Finance and Investment Authority] Connecticut Green Bank shall
2001 maintain any such audits for not less than five years. Residential
2002 projects for buildings with one to four dwelling units are exempt from
2003 this and any other annual auditing requirements, except that
2004 residential projects may be required to grant their utility companies'
2005 permission to release their usage data to the [Clean Energy Finance
2006 and Investment Authority] Connecticut Green Bank.

2007 (g) There shall be a joint committee of the Energy Conservation
2008 Management Board and the [Clean Energy Finance and Investment
2009 Authority] Connecticut Green Bank board of directors, as provided in
2010 subdivision (2) of subsection (d) of section 16-245m.

2011 (h) (1) (A) Wherever the term "Clean Energy Finance and
2012 Investment Authority" is used in the following general statutes, the
2013 term "Connecticut Green Bank" shall be substituted in lieu thereof: 1-
2014 79, 1-120, 1-124, 1-125, 7-233z, 16-244c, as amended by this act, 16-
2015 245m, 16-245aa, 16-245bb, 16-245ee, 16-245ff, 16-245hh, 16-245kk, 16-
2016 245ll, 16-245mm, 16a-40d to 16a-40g, inclusive, as amended by this act,
2017 16a-40l, 16a-40m, 22a-200c and 32-141.

2018 (B) Wherever the term "authority" is used in the following general
2019 statutes, the term "bank" shall be substituted in lieu thereof: 16-245aa,
2020 16-245ff, 16-245hh, 16-245kk, 16-245ll, 16-245mm and 16a-40e to 16a-
2021 40g, inclusive, as amended by this act.

2022 (2) Wherever the term "Clean Energy Finance and Investment
2023 Authority" is used in any public or special act of 2014, the term
2024 "Connecticut Green Bank" shall be substituted in lieu thereof.

2025 (3) The Legislative Commissioners' Office shall, in codifying the
2026 provisions of this section, make such technical, grammatical and
2027 punctuation changes as are necessary to carry out the purposes of this
2028 section.

2029 Sec. 31. Section 16-50o of the general statutes is repealed and the

2030 following is substituted in lieu thereof (*Effective from passage*):

2031 (a) A record shall be made of the hearing and of all testimony taken
2032 and the cross-examinations thereon. Every party or group of parties as
2033 provided in section 16-50n shall have the right to present such oral or
2034 documentary evidence and to conduct such cross-examination as may
2035 be required for a full and true disclosure of the facts.

2036 (b) For an application on a facility described in subdivision (1) of
2037 subsection (a) of section 16-50i, as amended by this act, the council
2038 shall administratively notice completed and ongoing scientific and
2039 medical research on electromagnetic fields.

2040 (c) The applicant shall submit into the record the full text of the
2041 terms of any agreement, and a statement of any consideration therefor,
2042 if not contained in such agreement, entered into by the applicant and
2043 any party to the certification proceeding, or any third party, in
2044 connection with the construction or operation of the facility. This
2045 provision shall not require the public disclosure of proprietary
2046 information or trade secrets.

2047 [(d) The results of the evaluation process pursuant to subsection (f)
2048 of section 16a-7c shall be part of the record, where applicable.]

2049 [(e)] (d) A copy of the record shall be available at all reasonable
2050 times for examination by the public without cost at the principal office
2051 of the council. A copy of the transcript of testimony at the hearing shall
2052 be filed at an appropriate public office, as determined by the council,
2053 in each county in which the facility or any part thereof is proposed to
2054 be located.

2055 Sec. 32. Subsection (a) of section 16-243p of the 2014 supplement to
2056 the general statutes is repealed and the following is substituted in lieu
2057 thereof (*Effective from passage*):

2058 (a) An electric distribution company may recover its costs and
2059 investments that have been prudently incurred as well as its revenues

lost resulting from the provisions of sections 16-1, 16-19ff, 16-50k, 16-50x, 16-243h to 16-243q, inclusive, 16-244c, as amended by this act, 16-244e, 16-244u, 16-245d, 16-245m, 16-245n, as amended by this act, 16-245z, [and] 16-262i and 16a-40m and section 21 of public act 05-1 of the June special session. The Public Utilities Regulatory Authority shall, after a hearing held pursuant to the provisions of chapter 54, determine the appropriate mechanism to obtain such recovery in a timely manner which mechanism may be one or more of the following: (1) Approval of rates as provided in sections 16-19 and 16-19e; (2) the energy adjustment clause as provided in section 16-19b; or (3) the federally mandated congestion charges, as defined in section 16-1.

Sec. 33. Section 16a-3f of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

On or after January 1, 2013, the Commissioner of Energy and Environmental Protection, in consultation with the procurement manager identified in subsection (l) of section 16-2, the Office of Consumer Counsel and the Attorney General, [may] shall, in coordination with other states in the region of the regional independent system operator, as defined in section 16-1, or on the commissioner's own, solicit proposals, in one solicitation or multiple solicitations, from providers of Class I renewable energy sources, as defined in section 16-1, constructed on or after January 1, 2013. If the commissioner finds such proposals to be in the interest of ratepayers including, but not limited to, the delivered price of such sources, and consistent with the requirements to reduce greenhouse gas emissions in accordance with section 22a-200a, and in accordance with the policy goals outlined in the Comprehensive Energy Strategy, adopted pursuant to section 16a-3d, the commissioner may select proposals from such resources to meet up to four per cent of the load distributed by the state's electric distribution companies. The commissioner may direct the electric distribution companies to enter into power purchase agreements for energy, capacity and environmental attributes, or any

2093 combination thereof, for periods of not more than twenty years.
2094 Certificates issued by the New England Power Pool Generation
2095 Information System for any Class I renewable energy sources procured
2096 under this section shall be sold in the New England Power Pool
2097 Generation Information System renewable energy credit market to be
2098 used by any electric supplier or electric distribution company to meet
2099 the requirements of section 16-245a. Any such agreement shall be
2100 subject to review and approval by the Public Utilities Regulatory
2101 Authority, which review shall commence upon the filing of the signed
2102 power purchase agreement with the authority. The authority shall
2103 issue a decision on such agreement not later than thirty days after such
2104 filing. In the event the authority does not issue a decision within thirty
2105 days after such agreement is filed with the authority, the agreement
2106 shall be deemed approved. The net costs of any such agreement,
2107 including costs incurred by the electric distribution companies under
2108 the agreement and reasonable costs incurred by the electric
2109 distribution companies in connection with the agreement, shall be
2110 recovered through a fully reconciling component of electric rates for all
2111 customers of electric distribution companies. [Such costs may include
2112 reasonable costs incurred by electric distribution companies pursuant
2113 to this section.]

2114 Sec. 34. Section 16a-3g of the 2014 supplement to the general statutes
2115 is repealed and the following is substituted in lieu thereof (*Effective*
2116 *from passage*):

2117 On or after July 1, 2013, the Commissioner of Energy and
2118 Environmental Protection, in consultation with the procurement
2119 manager identified in subsection (l) of section 16-2, the Office of
2120 Consumer Counsel and the Attorney General, may, in coordination
2121 with other states in the region of the regional independent system
2122 operator, as defined in section 16-1, or on the commissioner's own,
2123 solicit proposals, in one solicitation or multiple solicitations, from
2124 providers of Class I renewable energy sources, as defined in section 16-
2125 1, or verifiable large-scale hydropower, as defined in section 16-1. If

2126 the commissioner finds such proposals to be in the interest of
2127 ratepayers, including, but not limited to, the delivered price of such
2128 sources, and consistent with the requirements to reduce greenhouse
2129 gas emissions in accordance with section 22a-200a, and in accordance
2130 with the policy goals outlined in the Comprehensive Energy Strategy,
2131 adopted pursuant to section 16a-3d, and section 129 of public act 11-80,
2132 including, but not limited to, base load capacity, peak load shaving
2133 and promotion of wind, solar and other renewable and low carbon
2134 energy technologies, the commissioner may select proposals from such
2135 resources to meet up to five per cent of the load distributed by the
2136 state's electric distribution companies. The commissioner may on
2137 behalf of all customers of electric distribution companies, direct the
2138 electric distribution companies to enter into power purchase
2139 agreements for energy, capacity and any environmental attributes, or
2140 any combination thereof, for periods of not more than (1) fifteen years,
2141 if any such agreement is with a provider of verifiable large-scale
2142 hydropower, or (2) twenty years, if any such agreement is with a
2143 provider of a Class I renewable energy source. Certificates issued by
2144 the New England Power Pool Generation Information System for any
2145 Class I renewable energy sources procured under this section shall be
2146 sold in the New England Power Pool Generation Information System
2147 renewable energy credit market to be used by any electric supplier or
2148 electric distribution company to meet the requirements of section 16-
2149 245a. Any such agreement shall be subject to review and approval by
2150 the Public Utilities Regulatory Authority, which review shall (A)
2151 include a public hearing, and (B) be completed not later than sixty
2152 days after the date on which such agreement is filed with the
2153 authority. The net costs of any such agreement, including costs
2154 incurred by the electric distribution companies under the agreement
2155 and reasonable costs incurred by the electric distribution companies in
2156 connection with the agreement, shall be recovered through a fully
2157 reconciling component of electric rates for all customers of electric
2158 distribution companies. [Such costs may include the reasonable costs
2159 incurred by the electric distribution companies pursuant to this
2160 section.]

2161 Sec. 35. Section 16a-3h of the 2014 supplement to the general statutes
2162 is repealed and the following is substituted in lieu thereof (*Effective*
2163 *from passage*):

2164 On or after October 1, 2013, the Commissioner of Energy and
2165 Environmental Protection, in consultation with the procurement
2166 manager identified in subsection (l) of section 16-2, the Office of
2167 Consumer Counsel and the Attorney General, may solicit proposals, in
2168 one solicitation or multiple solicitations, from providers of run-of-the-
2169 river hydropower, landfill methane gas or biomass, provided such
2170 source meets the definition of a Class I renewable energy source
2171 pursuant to section 16-1. In making any selection of such proposals,
2172 the commissioner shall consider factors, including, but not limited to
2173 (1) whether the proposal is in the interest of ratepayers, including, but
2174 not limited to, the delivered price of such sources, (2) the emissions
2175 profile of a relevant facility, (3) any investments made by a relevant
2176 facility to improve the emissions profile of such facility, (4) the length
2177 of time a relevant facility has received renewable energy credits, (5)
2178 any positive impacts on the state's economic development, (6) whether
2179 the proposal is consistent with requirements to reduce greenhouse gas
2180 emissions in accordance with section 22a-200a, and (7) whether the
2181 proposal is consistent with the policy goals outlined in the
2182 Comprehensive Energy Strategy adopted pursuant to section 16a-3d.
2183 The commissioner may select proposals from such resources to meet
2184 up to four per cent of the load distributed by the state's electric
2185 distribution companies. The commissioner may direct the electric
2186 distribution companies to enter into power purchase agreements for
2187 energy, capacity and environmental attributes, or any combination
2188 thereof, for periods of not more than ten years on behalf of all
2189 customers of the state's electric distribution companies. Certificates
2190 issued by the New England Power Pool Generation Information
2191 System for any Class I renewable energy sources procured under this
2192 section shall be sold in the New England Power Pool Generation
2193 Information System renewable energy credit market to be used by any
2194 electric supplier or electric distribution company to meet the

2195 requirements of section 16-245a. Any such agreement shall be subject
2196 to review and approval by the Public Utilities Regulatory Authority,
2197 which review shall be completed not later than sixty days after the
2198 date on which such agreement is filed with the authority. The net costs
2199 of any such agreement, including costs incurred by the electric
2200 distribution companies under the agreement and reasonable costs
2201 incurred by the electric distribution companies in connection with the
2202 agreement, shall be recovered through a fully reconciling component
2203 of electric rates for all customers of electric distribution companies.
2204 [Such costs may include the reasonable costs incurred by the electric
2205 distribution companies pursuant to this section.]

2206 Sec. 36. Subsection (d) of section 16a-3i of the 2014 supplement to
2207 the general statutes is repealed and the following is substituted in lieu
2208 thereof (*Effective from passage*):

2209 (d) In the event there is such a presumption pursuant to subsection
2210 (a) of this section and the commissioner finds a material shortage of
2211 Class I renewable energy sources pursuant to subsection (b) of this
2212 section, and in addition to determining the adequacy pursuant to
2213 subsection (c) of this section, the commissioner shall, in consultation
2214 with the procurement manager identified in subsection (l) of section
2215 16-2, the Office of Consumer Counsel and the Attorney General, solicit
2216 proposals from providers of Class I renewable energy sources, as
2217 defined in section 16-1, operational as of the date that such solicitation
2218 is issued. If the commissioner, in consultation with the procurement
2219 manager identified in subsection (l) of section 16-2, finds such
2220 proposals to be in the interest of ratepayers including, but not limited
2221 to, the delivered price of such sources, and consistent with the
2222 requirements to reduce greenhouse gas emissions in accordance with
2223 section 22a-200a, and in accordance with the policy goals outlined in
2224 the Comprehensive Energy Strategy, adopted pursuant to section 16a-
2225 3d, the commissioner, in consultation with the procurement manager
2226 identified in subsection (l) of section 16-2, may select proposals from
2227 such sources to meet up to the amount necessary to ensure an

adequate incremental supply of Class I renewable energy sources to rectify any projected shortage of Class I renewable energy supply identified pursuant to subsection (c) of this section. The commissioner shall direct the electric distribution companies to enter into power purchase agreements for energy, capacity and environmental attributes, or any combination thereof, from such selected proposals for periods of not more than ten years. Certificates issued by the New England Power Pool Generation Information System for any Class I renewable energy sources procured under this section shall be sold in the New England Power Pool Generation Information System renewable energy credit market to be used by any electric supplier or electric distribution company to meet the requirements of section 16-245a. Any such agreement shall be subject to review and approval by the Public Utilities Regulatory Authority, which review shall commence upon the filing of the signed power purchase agreement with the authority. The authority shall issue a decision on such agreement not later than thirty days after such filing. In the event the authority does not issue a decision within thirty days after such agreement is filed with the authority, the agreement shall be deemed approved. The net costs of any such agreement, including costs incurred by the electric distribution companies under the agreement and reasonable costs incurred by the electric distribution companies in connection with the agreement, shall be recovered through a fully reconciling component of electric rates for all customers of electric distribution companies. [Such costs may include reasonable costs incurred by electric distribution companies pursuant to this section.]

Sec. 37. Subsection (a) of section 16-50p of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) In a certification proceeding, the council shall render a decision upon the record either granting or denying the application as filed, or granting it upon such terms, conditions, limitations or modifications of the construction or operation of the facility as the

2261 council may deem appropriate.

2262 (2) The council's decision shall be rendered in accordance with the
2263 following:

2264 (A) Not later than twelve months after the [deadline for] filing of an
2265 application [following the request for proposal process] for a facility
2266 described in subdivision (1) or (2) of subsection (a) of section 16-50i, as
2267 amended by this act, or subdivision (4) of said subsection (a) if the
2268 application was incorporated in an application concerning a facility
2269 described in subdivision (1) of said subsection (a); and

2270 (B) Not later than one hundred eighty days after the [deadline for]
2271 filing of an application [following the request for proposal process] for
2272 a facility described in [subdivision (4)] subdivisions (3) to (6), inclusive,
2273 of subsection (a) of section 16-50i, as amended by this act, [and an
2274 application concerning a facility described in subdivision (3) of said
2275 subsection (a),] provided the council may extend such period by not
2276 more than one hundred eighty days with the consent of the applicant,
2277 [; and]

2278 [(C) Not later than one hundred eighty days after the filing of an
2279 application for a facility described in subdivision (5) or (6) of
2280 subsection (a) of section 16-50i, provided the council may extend such
2281 period by not more than one hundred eighty days with the consent of
2282 the applicant.]

2283 (3) The council shall file, with its order, an opinion stating in full its
2284 reasons for the decision. The council shall not grant a certificate, either
2285 as proposed or as modified by the council, unless it shall find and
2286 determine:

2287 (A) Except as provided in subsection (b) or (c) of this section, a
2288 public need for the facility and the basis of the need;

2289 (B) The nature of the probable environmental impact of the facility
2290 alone and cumulatively with other existing facilities, including a

2291 specification of every significant adverse effect, including, but not
2292 limited to, electromagnetic fields that, whether alone or cumulatively
2293 with other effects, impact on, and conflict with the policies of the state
2294 concerning the natural environment, ecological balance, public health
2295 and safety, scenic, historic and recreational values, forests and parks,
2296 air and water purity and fish, aquaculture and wildlife;

2297 (C) Why the adverse effects or conflicts referred to in subparagraph
2298 (B) of this subdivision are not sufficient reason to deny the application;

2299 (D) In the case of an electric transmission line, (i) what part, if any,
2300 of the facility shall be located overhead, (ii) that the facility conforms to
2301 a long-range plan for expansion of the electric power grid of the
2302 electric systems serving the state and interconnected utility systems
2303 and will serve the interests of electric system economy and reliability,
2304 and (iii) that the overhead portions, if any, of the facility are cost
2305 effective and the most appropriate alternative based on a life-cycle cost
2306 analysis of the facility and underground alternatives to such facility,
2307 are consistent with the purposes of this chapter, with such regulations
2308 or standards as the council may adopt pursuant to section 16-50t,
2309 including, but not limited to, the council's best management practices
2310 for electric and magnetic fields for electric transmission lines and with
2311 the Federal Power Commission "Guidelines for the Protection of
2312 Natural Historic Scenic and Recreational Values in the Design and
2313 Location of Rights-of-Way and Transmission Facilities" or any
2314 successor guidelines and any other applicable federal guidelines and
2315 are to be contained within an area that provides a buffer zone that
2316 protects the public health and safety, as determined by the council. In
2317 establishing such buffer zone, the council shall consider, among other
2318 things, residential areas, private or public schools, licensed child day
2319 care facilities, licensed youth camps or public playgrounds adjacent to
2320 the proposed route of the overhead portions and the level of the
2321 voltage of the overhead portions and any existing overhead
2322 transmission lines on the proposed route. At a minimum, the existing
2323 right-of-way shall serve as the buffer zone;

2324 (E) In the case of an electric or fuel transmission line, that the
2325 location of the line will not pose an undue hazard to persons or
2326 property along the area traversed by the line;

2327 [(F) In the case of an application that was heard under a
2328 consolidated hearing process with other applications that were
2329 common to a request for proposal, that the facility proposed in the
2330 subject application represents the most appropriate alternative among
2331 such applications based on the findings and determinations pursuant
2332 to this subsection;]

2333 [(G)] (E) In the case of a facility described in subdivision (6) of
2334 subsection (a) of section 16-50i, as amended by this act, that is (i)
2335 proposed to be installed on land under agricultural restriction, as
2336 provided in section 22-26cc, that the facility will not result in a material
2337 decrease of acreage and productivity of the arable land, (ii) proposed
2338 to be installed on land near a building containing a school, as defined
2339 in section 10-154a, or a commercial child day care center, as described
2340 in subdivision (1) of subsection (a) of section 19a-77, that the facility
2341 will not be less than two hundred fifty feet from such school or
2342 commercial child day care center unless the location is acceptable to
2343 the chief elected official of the municipality or the council finds that the
2344 facility will not have a substantial adverse effect on the aesthetics or
2345 scenic quality of the neighborhood in which such school or commercial
2346 child day care center is located, or (iii) proposed to be installed on land
2347 owned by a water company, as defined in section 25-32a, and which
2348 involves a new ground-mounted telecommunications tower, that such
2349 land owned by a water company is preferred over any alternative
2350 telecommunications tower sites provided the council shall, pursuant to
2351 clause (iii) of this subparagraph, consult with the Department of Public
2352 Health to determine potential impacts to public drinking water
2353 supplies in considering all the environmental impacts identified
2354 pursuant to subparagraph (B) of this subdivision. The council shall not
2355 render any decision pursuant to this subparagraph that is inconsistent
2356 with federal law or regulations; and

2357 [(H)] (G) That, for a facility described in subdivision (5) or (6) of
2358 subsection (a) of section 16-50i, as amended by this act, the council has
2359 considered the manufacturer's recommended safety standards for any
2360 equipment, machinery or technology for the facility.

2361 Sec. 38. Subsection (a) of section 16-50bb of the 2014 supplement to
2362 the general statutes is repealed and the following is substituted in lieu
2363 thereof (*Effective from passage*):

2364 (a) There is established an account to be known as the "municipal
2365 participation account", within the General Fund, which shall be a
2366 separate, nonlapsing account. There shall be deposited in the account
2367 the municipal participation fees received pursuant to [subdivisions (1)
2368 and (3) of] subsection (a) of section 16-50l, as amended by this act. The
2369 interest derived from the investment of the account shall be credited to
2370 the account. Any balance remaining in the account at the end of any
2371 fiscal year shall be carried forward in the account for the fiscal year
2372 next succeeding.

2373 Sec. 39. Section 16-345 of the general statutes is repealed and the
2374 following is substituted in lieu thereof (*Effective October 1, 2015*):

2375 As used in this chapter:

2376 [(a)] (1) "Person" means an individual, partnership, corporation,
2377 limited liability company or association, including a person engaged as
2378 a contractor by a public agency but excluding a public agency.

2379 [(b)] (2) "Public agency" means the state or any political subdivision
2380 thereof, including any governmental agency.

2381 [(c)] (3) "Public utility" means the owner or operator of
2382 underground facilities for furnishing electric, gas, telephone, telegraph,
2383 communications, pipeline, sewage, water, community television
2384 antenna, steam, [or] traffic signal, fire signal or similar service,
2385 including a municipal or other public owner or operator. A public
2386 utility does not include the owner of facilities for utility service solely

2387 for such owner's private residence.

2388 [(d)] (4) "Central clearinghouse" means the [group of] organization
2389 organized and operated by public utilities [formed] pursuant to section
2390 16-348, as amended by this act, for the purposes of receiving and
2391 giving notice of excavation, discharge of explosives and demolition
2392 activity within the state.

2393 [(e)] (5) "Excavation" means an operation for the purposes of
2394 movement or removal of earth, rock or other materials in or on the
2395 ground, or otherwise disturbing the subsurface of the earth, by the use
2396 of powered or mechanized equipment, including but not limited to
2397 digging, blasting, auguring, back filling, test boring, drilling, pile
2398 driving, grading, plowing-in, hammering, pulling-in, trenching, [and]
2399 tunneling, dredging, reclamation processes and milling; excluding [the
2400 movement of earth by tools manipulated only by human or animal
2401 power and] the tilling of soil for agricultural purposes. For the
2402 purposes of this subdivision, dredging does not include dredging
2403 associated with the production and harvesting of aquaculture crops.

2404 [(f)] (6) "Demolition" means the wrecking, razing, rending, moving
2405 or removing of any structure.

2406 [(g)] (7) "Damage" includes, but is not limited to, the substantial
2407 weakening of structural or lateral support of a utility [line] facility such
2408 that the continued integrity of such utility facility is imperiled,
2409 penetration or destruction of any utility [line] facility protective
2410 coating, housing or other protective device or the severance, partial or
2411 complete, of any utility [line] facility.

2412 [(h)] (8) ["Approximate location of underground facilities"]
2413 "Approximate location of an underground utility facility" means a strip
2414 of land not more than three feet wide centered on the actual location of
2415 an underground utility facility or a strip of land extending not more
2416 than one and one-half feet on either side of the actual location of an
2417 underground [facilities] utility facility.

2418 Sec. 40. Section 16-346 of the 2014 supplement to the general statutes
2419 is repealed and the following is substituted in lieu thereof (*Effective*
2420 *October 1, 2015*):

2421 No person, public agency or public utility shall engage in
2422 excavation, [or] discharge of explosives [at or near the location of a
2423 public utility underground facility or demolish a structure located at or
2424 near or containing a public utility facility] or demolition without
2425 having first ascertained the location of all underground facilities of
2426 public utilities in the area of such excavation, discharge or demolition
2427 in the manner prescribed in this chapter and in such regulations as the
2428 [authority] Public Utilities Regulatory Authority shall adopt pursuant
2429 to section 16-357.

2430 Sec. 41. Section 16-347 of the general statutes is repealed and the
2431 following is substituted in lieu thereof (*Effective October 1, 2015*):

2432 A public utility shall [file] register with the [Public Utilities
2433 Regulatory Authority the location of its] central clearinghouse the
2434 geographic areas in which it owns or operates underground facilities,
2435 [except facilities for storm sewers,] by reference to a standard [grid]
2436 mapping system, to be established by the [authority] central
2437 clearinghouse, and the title, address and telephone number of its
2438 representative designated to receive the notice required by section 16-
2439 349, as amended by this act.

2440 Sec. 42. Section 16-348 of the general statutes is repealed and the
2441 following is substituted in lieu thereof (*Effective October 1, 2015*):

2442 The public utilities of the state shall, under the direction of the
2443 Public Utilities Regulatory Authority, organize and operate a central
2444 clearinghouse within the state for receiving and giving the notices
2445 required by section 16-349, as amended by this act. The authority shall
2446 apportion the cost of this service equitably among the public utilities,
2447 [for those underground facilities registered with the authority, as
2448 provided in section 16-347, except sanitary sewer or water facilities

2449 owned or operated by] except a city, town or borough that owns or
2450 operates only a sanitary sewer or water facilities.

2451 Sec. 43. Section 16-349 of the general statutes is repealed and the
2452 following is substituted in lieu thereof (*Effective October 1, 2015*):

2453 Except as provided in section 16-352, as amended by this act, a
2454 person, public agency or public utility responsible for excavating, [or]
2455 discharging explosives [at or near the location of public utility
2456 facilities] or demolishing [a structure containing a public utility
2457 facility] shall notify the central clearinghouse of such proposed
2458 excavation, discharge or demolition [, orally or in writing, at least two
2459 full days, excluding Saturdays, Sundays and holidays, but not more
2460 than thirty days before commencing such excavation, demolition or
2461 discharge of explosives] in the manner prescribed by regulations
2462 adopted pursuant to section 16-357. Such notice shall include the
2463 name, address and telephone number of the [entity giving notice, the
2464 name of the] person, public agency or public utility performing the
2465 [work] excavation, discharge of explosives or demolition and the date,
2466 location and type of excavation, demolition or discharge of explosives.
2467 The central clearinghouse shall immediately transmit such information
2468 to the public utilities whose facilities may be affected. In the event the
2469 proposed excavation, demolition or discharge of explosives has not
2470 [commenced] been completed within [thirty days] the allotted time
2471 frame prescribed by regulation of such notification, or the excavation,
2472 demolition or discharge of explosives will be expanded outside of the
2473 location originally specified in such notification, the person, public
2474 agency or public utility responsible for such excavation, demolition or
2475 discharge of explosives shall again notify the central clearinghouse [at
2476 least two full days, excluding Saturdays, Sundays and holidays, but
2477 not more than thirty days before commencing or expanding such
2478 excavation, demolition or discharge of explosives] in the manner
2479 prescribed by regulations adopted pursuant to section 16-357.

2480 Sec. 44. Section 16-351 of the 2014 supplement to the general statutes
2481 is repealed and the following is substituted in lieu thereof (*Effective*

2482 *October 1, 2015*):

2483 A public utility receiving notice pursuant to section 16-349, as
2484 amended by this act, shall inform the person, public agency or public
2485 utility proposing to excavate, discharge explosives or demolish [a
2486 structure] of the approximate location of its underground facilities in
2487 the area in such manner as will enable such person, public agency or
2488 public utility to establish the [precise] actual location of the
2489 underground facilities, and shall provide such other assistance in
2490 establishing the [precise] actual location of the underground facilities
2491 as the authority may require by [regulation] regulations adopted
2492 pursuant to section 16-357. Such person, public agency or public utility
2493 shall designate the area of the proposed excavation, demolition or
2494 discharge of explosives as the authority may prescribe by [regulation]
2495 regulations adopted pursuant to section 16-357. The public utility
2496 receiving notice shall mark the approximate location of its
2497 underground facilities in such manner and using such methods,
2498 including color coding, as the authority may prescribe by [regulation]
2499 regulations adopted pursuant to section 16-357. If the [precise] actual
2500 location of the underground facilities cannot be established, the
2501 person, public agency or public utility shall so notify the public utility
2502 whose facilities may be affected, which shall provide such further
2503 assistance as may be needed to determine the [precise] actual location
2504 of the underground facilities in advance of the proposed excavation,
2505 discharge of explosives or demolition.

2506 Sec. 45. Section 16-352 of the general statutes is repealed and the
2507 following is substituted in lieu thereof (*Effective October 1, 2015*):

2508 (a) In case of emergency involving danger to life, health or property
2509 or which requires immediate correction to continue the operation of a
2510 major industrial plant, or to assure the continuity of public utility
2511 service, excavation or demolition without explosives may be made
2512 without [the two day] notice required by section 16-349, as amended
2513 by this act, provided notice thereof [by telephone] is given as soon as
2514 reasonably possible.

2515 (b) In case of an emergency involving an immediate and substantial
2516 danger of death or serious personal injury, explosives may be
2517 discharged if notice thereof is given at any time before discharge.

2518 Sec. 46. Section 16-354 of the 2014 supplement to the general statutes
2519 is repealed and the following is substituted in lieu thereof (*Effective*
2520 *October 1, 2015*):

2521 A person, public agency or public utility responsible for excavating,
2522 discharging explosives or demolition shall exercise reasonable care
2523 when working in proximity to the underground facilities of any public
2524 utility and shall comply with such safety standards and other
2525 requirements as the authority shall prescribe by [regulation]
2526 regulations adopted pursuant to section 16-357. If the facilities are
2527 likely to be exposed, such support shall be provided as may be
2528 reasonably necessary for protection of the facilities. If [gas facilities are
2529 likely to be exposed] excavation is within the approximate location of
2530 facilities containing combustible or hazardous fluids or gases, only
2531 hand digging or soft digging shall be employed. As used in this
2532 section, "soft digging" means a nonmechanical and nondestructive
2533 process used to excavate and evacuate soils at a controlled rate, using
2534 high pressure water or air jet to break up the soil, often in conjunction
2535 with a high power vacuum unit to extract the soil without damaging
2536 the facilities.

2537 Sec. 47. Section 16-355 of the general statutes is repealed and the
2538 following is substituted in lieu thereof (*Effective October 1, 2015*):

2539 When any contact is made with or any damage is suspected or done
2540 to any underground facility of a public utility, the person, public
2541 agency or public utility responsible for the operations causing the
2542 contact, suspected damage or damage shall immediately notify the
2543 public utility whose facilities have been affected, which shall dispatch
2544 its own personnel as soon as reasonably possible to inspect the
2545 underground facility and, if necessary, effect temporary or permanent
2546 repairs. If a serious electrical short is occurring or if dangerous fluids

2547 or gas are escaping from a broken line, the person, public agency or
2548 public utility responsible for the operations causing the damage shall
2549 alert all persons within the danger area and take all feasible steps to
2550 insure the public safety pending the arrival of repair personnel. As
2551 used in this section, "contact" includes, without limitation, the striking,
2552 scraping or denting, however slight, of any underground utility
2553 facility, [the structural or lateral support of an underground utility line
2554 and] including any underground utility [line] facility protective
2555 coating, housing or other protective device. "Contact" does not include
2556 damage, as defined in section 16-345, as amended by this act.

2557 Sec. 48. Section 16-356 of the general statutes is repealed and the
2558 following is substituted in lieu thereof (*Effective October 1, 2015*):

2559 Any person, public agency or public utility which the Public
2560 Utilities Regulatory Authority determines, after notice and
2561 opportunity for a hearing as provided in section 16-41, to have failed to
2562 comply with any provision of this chapter or any regulation adopted
2563 under section 16-357 shall forfeit and pay to the state a civil penalty of
2564 not more than forty thousand dollars, provided any violation
2565 involving the failure of a public utility to mark [the] any approximate
2566 location of an underground [facilities] utility facility correctly or within
2567 the timeframes prescribed by regulation, which violation did not result
2568 in any property damage or personal injury and was not the result of an
2569 act of gross negligence on the part of the public utility, shall not result
2570 in a civil penalty of more than one thousand dollars. Notwithstanding
2571 the provisions contained in subsection (d) of section 16-41, the person,
2572 public agency or public utility receiving a notice of violation pursuant
2573 to subsection (c) of section 16-41 shall have thirty days from the date of
2574 receipt of the notice in which to deliver to the authority a written
2575 application for a hearing.

2576 Sec. 49. Section 16-243m of the 2014 supplement to the general
2577 statutes is repealed and the following is substituted in lieu thereof
2578 (*Effective from passage*):

2579 (a) The Public Utilities Regulatory Authority shall, on or before
2580 November 1, 2005, identify those measures that can reduce federally
2581 mandated congestion charges, as defined in section 16-1, and that can
2582 be implemented, in whole or in part, on or before January 1, 2006. Such
2583 measures may include, but shall not be limited to, demand response
2584 programs, other distributed resources, and contracts between an
2585 electric distribution company, as defined in said section 16-1, and an
2586 owner of generation resources for the capacity of such resources. The
2587 authority shall order each electric distribution company to implement,
2588 in whole or in part, on or before January 1, 2006, such measures as the
2589 authority considers appropriate. The company's costs associated with
2590 complying with the provisions of this section shall be recoverable
2591 through federally mandated congestion charges.

2592 (b) The authority shall conduct a contested case, in accordance with
2593 chapter 54, to establish the principles and standards to be used in
2594 developing and issuing a request for proposals under this section. The
2595 authority shall complete such contested case on or before January 1,
2596 2006.

2597 (c) On or before February 1, 2006, the authority shall conduct a
2598 proceeding to develop and issue a request for proposals to solicit the
2599 development of long-term projects designed to reduce federally
2600 mandated congestion charges for the period commencing on May 1,
2601 2006, and ending on December 31, 2010, or such later date specified by
2602 the authority. For purposes of this section, projects shall include (1)
2603 customer-side distributed resources, (2) grid-side distributed
2604 resources, (3) new generation facilities, including expanded or
2605 repowered generation, and (4) contracts for a term of no more than
2606 fifteen years between a person and an electric distribution company for
2607 the purchase of electric capacity rights. Such request for proposals
2608 shall encourage responses from a variety of resource types and
2609 encourage diversity in the fuel mix used in generation. An electric
2610 distribution company may submit proposals pursuant to this
2611 subsection on the same basis as other respondents to the solicitation. A

2612 proposal submitted by an electric distribution company shall include
2613 its full projected costs such that any project costs recovered from or
2614 defrayed by ratepayers are included in the projected costs. An electric
2615 distribution company submitting a bid under this subsection shall
2616 demonstrate to the satisfaction of the authority that its bid is not
2617 supported in any form of cross subsidization by affiliated entities. If
2618 such electric distribution company's proposal is approved pursuant to
2619 subsection (g) of this section, the costs and revenues of such proposal
2620 shall not be included in calculating such company's earning for
2621 purposes of, or in determining whether its rates are just and reasonable
2622 under, sections 16-19, 16-19a and 16-19e. Electric distribution
2623 companies may under no circumstances recover more than the full
2624 costs identified in the proposals, as approved under subsection (g) of
2625 this section and consistent with subsection (h) of this section. Affiliates
2626 of the electric distribution company may submit proposals consistent
2627 with section 16-244h, regulations adopted under section 16-244h and
2628 other requirements the authority may impose. The authority may
2629 request from a person submitting a proposal further information that
2630 the authority determines to be in the public interest to be used in
2631 evaluating the proposal. The authority shall determine whether costs
2632 associated with subsection [(l)] (k) of this section shall be considered in
2633 the evaluation or selection of bids.

2634 (d) The authority shall publish such request for proposals in one or
2635 more newspapers or periodicals, as selected by the authority, and shall
2636 post such request for proposals on its web site. The authority may
2637 retain the services of a third-party entity with expertise in the area of
2638 energy procurement to oversee the development of the request for
2639 proposals and to assist the authority in its approval of proposals
2640 pursuant to this section. The reasonable and proper expenses for
2641 retaining such third-party entity shall be recoverable through federally
2642 mandated congestion charges, as defined in section 16-1, which
2643 charges the authority shall allocate to electric distribution companies in
2644 proportion to their revenue.

2645 (e) Any person, other than an electric distribution company,
2646 submitting a proposal pursuant to subdivision (2), (3) or (4) of
2647 subsection (c) of this section shall include with its proposal a draft of a
2648 contract that includes the transfer to the electric distribution company
2649 of all the rights to the installed capacity, including, but not limited to,
2650 forward reserve capacity, locational forward reserve capacity and
2651 similar rights associated with such proposal, provided such rights shall
2652 not include energy. No such draft of a contract shall have a term
2653 exceeding fifteen years. Such draft contract shall include such
2654 provisions as the Public Utilities Regulatory Authority directs.

2655 (f) Each person submitting a proposal pursuant to this section shall
2656 agree to forgo or credit reliability must run payments, locational
2657 installed capacity payments or payments for similar purposes for any
2658 project approved pursuant to subsection (g) of this section.

2659 (g) The authority shall, on or before May 1, 2006, evaluate such
2660 proposals received pursuant to subsection (c) of this section and may
2661 approve one or more of such proposals. The authority shall give
2662 preference to proposals that (1) result in the greatest aggregate
2663 reduction of federally mandated congestion charges for the period
2664 commencing on May 1, 2006, and ending on December 31, 2010, or
2665 such later date specified by the authority, (2) make efficient use of
2666 existing sites and supply infrastructure, and (3) serve the long-term
2667 interests of ratepayers. Projects proposed by persons other than electric
2668 distribution companies approved pursuant to this subsection may
2669 enter into long-term contracts pursuant to subsection (i) of this section.
2670 Projects approved pursuant to this subsection are eligible for expedited
2671 siting pursuant to subsection (a) of section 16-50k. Customer-side
2672 distributed resource projects approved pursuant to this subsection
2673 shall be eligible for the incentives provided pursuant to sections 16-
2674 243j, 16-243l, and 16-243o and this section, but shall not be eligible for
2675 the programs described in section 16-243i.

2676 (h) If a proposal from an electric distribution company is approved
2677 pursuant to subsection (g) of this section, such company may develop,

2678 own and operate such resource, provided such company shall, not
2679 later than five years after such resource begins commercial operation,
2680 (1) sell such resource in accordance with section 16-43, or (2) auction
2681 the power or capacity, or both, associated with such resource pursuant
2682 to a plan approved by the authority. The authority shall, after notice
2683 and hearing, waive the requirements of subdivisions (1) and (2) of this
2684 subsection if it determines that compliance with such requirements
2685 would be detrimental to retail customers. Such electric distribution
2686 company shall recover, as federally mandated congestion charges, the
2687 unrecovered portions of the full projected costs in its proposal made
2688 under subsection (c) of this section.

2689 (i) An electric distribution company shall negotiate in good faith the
2690 final terms of the draft contract, submitted under subsection (e) of this
2691 section and included in a proposal approved under subsection (g) of
2692 this section, and shall apply to the authority for approval of each such
2693 contract. After thirty days, either party may request the assistance of
2694 the authority to resolve any outstanding issues. No such contract may
2695 become effective without approval of the authority. The authority shall
2696 hold a hearing that shall be conducted as a contested case, in
2697 accordance with the provisions of chapter 54, to approve, reject or
2698 modify an application for approval of a capacity purchase contract. No
2699 contract shall be approved unless the authority finds that approval of
2700 such contract would (1) result in the lowest reasonable cost of such
2701 products and services, (2) increase reliability, and (3) minimize
2702 federally mandated congestion charges to the state over the life of the
2703 contract. Such a contract shall contain terms that mitigate the long-
2704 term risk assumed by ratepayers. No contract approved by the
2705 authority shall have a term exceeding fifteen years. As determined by
2706 the authority, the electric distribution company shall either sell into the
2707 capacity markets all or a portion of capacity rights transferred
2708 pursuant to this section and use all proceeds from such sales to offset
2709 federally mandated congestion charges incurred by all customers, or
2710 shall retain such capacity rights to offset electric capacity charges
2711 associated with transitional standard offer, standard service or service

2712 as supplier of last resort under section 16-244c, as amended by this act.
2713 The costs associated with long-term electric capacity contracts shall be
2714 recovered through federally mandated congestion charges.

2715 [(j)] The provisions of section 16a-7c shall not apply to projects
2716 approved pursuant to this section.]

2717 [(k)] (j) The authority may order an electric distribution company to
2718 submit a proposal pursuant to the provisions of this section and may
2719 approve such a proposal under this section. Nothing in sections 16-1,
2720 16-32f, 16-50i, as amended by this act, 16-50k, 16-50x, 16-243i to 16-
2721 243q, inclusive, 16-244c, as amended by this act, 16-244e, 16-245d, 16-
2722 245m, 16-245n, as amended by this act, and 16-245z and section 21 of
2723 public act 05-1 of the June special session shall limit the authority's
2724 ability to conduct requests for proposals, in addition to that in
2725 subsection (c) of this section, to reduce federally mandated congestion
2726 charges and to approve such proposals or otherwise to meet its
2727 responsibility under this title.

2728 [(l)] (k) The authority shall hold a hearing that shall be conducted as
2729 a contested case, in accordance with the provisions of chapter 54, to
2730 investigate any impact on the financial condition of electric
2731 distribution companies of long-term contracts entered into pursuant to
2732 this section and to establish, before issuing a request for proposals in
2733 accordance with subsection (c) of this section, the methodology for
2734 compensating the companies for such impacts. The methodology for
2735 addressing such impacts shall be included in the request for proposals
2736 under subsection (c) of this section, if appropriate. If the authority
2737 determines that entering into such long-term contracts results in
2738 increased costs incurred by the electric distribution companies, the
2739 authority, annually, shall allow such costs to be recovered through
2740 rates or in such manner as the authority considers appropriate. The
2741 authority shall determine whether such costs shall be considered in the
2742 evaluation or selection of bids under this section.

2743 [(m)] (l) An electric distribution company may not submit a

2744 proposal under this section on or after February 1, 2011. On or before
2745 January 1, 2010, the authority shall submit a report, in accordance with
2746 section 11-4a, to the joint standing committee of the General Assembly
2747 having cognizance of matters relating to energy with a
2748 recommendation as to whether the period during which such
2749 company may submit proposals under this section should be
2750 extended.

2751 [(n)] (m) For purposes of subdivision (1) of subsection (c) of section
2752 16-50p, there shall be a rebuttable presumption that there is a public
2753 benefit in building a facility, as defined in subdivision (1) of subsection
2754 (a) of section 16-50i, as amended by this act, that has been approved by
2755 the Public Utilities Regulatory Authority pursuant to this section.

2756 [(o)] (n) The aggregate electric generating capacity for all approved
2757 proposals by electric distribution companies pursuant to subsections
2758 (g) and [(k)] (j) of this section may not exceed two hundred fifty
2759 megawatts of generating capacity state-wide. The authority shall give
2760 guiding preference in approving the amount of generation capacity in
2761 proposals from electric distribution companies to the approximate
2762 proportion of each company's service area load.

2763 [(p)] (o) When the authority selects a bid pursuant to subdivisions
2764 (2) and (3) of subsection (c) of this section from a person other than an
2765 electric distribution company, the authority shall grant the electric
2766 distribution company that serves the area in which the subject grid-
2767 side distributed resource or new generation facility is to be located a
2768 one-time, nonrecurring award, for investments necessary to improve
2769 the electric distribution company's transmission and distribution
2770 system to accommodate such facilities, in accordance with the
2771 following: For a grid-side distributed resource or new generation
2772 facility that is operational (1) on or before January 1, 2010, twenty-five
2773 dollars per kilowatt, (2) on or before January 1, 2011, fifteen dollars per
2774 kilowatt, and (3) on or before January 1, 2012, five dollars per kilowatt.
2775 The cost of the award shall be recoverable from federally mandated
2776 congestion charges. No such award may be made unless the projected

2777 reduction in federally mandated congestion charges attributed to the
2778 investment is greater than the amount of the award. Revenues from
2779 such award shall not be included in calculating the electric distribution
2780 company's earnings for the purpose of determining whether its rates
2781 are just and reasonable under sections 16-19, 16-19a and 16-19e.

2782 [(q)] (p) Sixty days after the Public Utilities Regulatory Authority
2783 issues a final decision approving long-term contracts pursuant to this
2784 section, the authority shall direct an electric distribution company to
2785 negotiate, in good faith, long-term contracts for the electric energy
2786 output of each of the generation projects selected and approved by the
2787 authority to provide capacity pursuant to this section, provided the
2788 rates paid for such electric energy output when added to the payments
2789 made pursuant to such capacity contracts shall be the project's cost of
2790 service plus a reasonable rate of return. The electric distribution
2791 company shall apply to the authority for approval of any such energy
2792 output contract. No such contract shall be effective unless approved by
2793 the authority. The authority may approve only such contracts it finds
2794 would reduce and stabilize the cost of electricity to Connecticut
2795 ratepayers. Such contract may not exceed the term of the capacity
2796 contract for such generation project.

2797 Sec. 50. Subsection (a) of section 16-245l of the 2014 supplement to
2798 the general statutes is repealed and the following is substituted in lieu
2799 thereof (*Effective from passage*):

2800 (a) The Public Utilities Regulatory Authority shall establish and
2801 each electric distribution company shall collect a systems benefits
2802 charge to be imposed against all end use customers of each electric
2803 distribution company beginning January 1, 2000. The authority shall
2804 hold a hearing that shall be conducted as a contested case in
2805 accordance with chapter 54 to establish the amount of the systems
2806 benefits charge. The authority may revise the systems benefits charge
2807 or any element of said charge as the need arises. The systems benefits
2808 charge shall be used to fund (1) the expenses of the public education
2809 outreach program developed under section 16-244d other than

2810 expenses for authority staff, (2) the cost of hardship protection
2811 measures under sections 16-262c and 16-262d and other hardship
2812 protections, including, but not limited to, electric service bill payment
2813 programs, funding and technical support for energy assistance, fuel
2814 bank and weatherization programs and weatherization services, (3) the
2815 payment program to offset tax losses described in section 12-94d, (4)
2816 any sums paid to a resource recovery authority pursuant to subsection
2817 (b) of section 16-243e, (5) low income conservation programs approved
2818 by the Public Utilities Regulatory Authority, (6) displaced worker
2819 protection costs, (7) unfunded storage and disposal costs for spent
2820 nuclear fuel generated before January 1, 2000, approved by the
2821 appropriate regulatory agencies, (8) postretirement safe shutdown and
2822 site protection costs that are incurred in preparation for
2823 decommissioning, (9) decommissioning fund contributions, (10)
2824 [operating expenses for the Connecticut Energy Advisory Board, (11)]
2825 costs associated with the Connecticut electric efficiency partner
2826 program established pursuant to section 16-243v, [(12)] (11)
2827 reinvestments and investments in energy efficiency programs and
2828 technologies pursuant to section 16a-38l, costs associated with the
2829 electricity conservation incentive program established pursuant to
2830 section 119 of public act 07-242, [(13)] (12) legal, appraisal and
2831 purchase costs of a conservation or land use restriction and other
2832 related costs as the authority in its discretion deems appropriate,
2833 incurred by a municipality on or before January 1, 2000, to ensure the
2834 environmental, recreational and scenic preservation of any reservoir
2835 located within this state created by a pump storage hydroelectric
2836 generating facility, and [(14)] (13) the residential furnace and boiler
2837 replacement program pursuant to subsection (k) of section 16-243v. As
2838 used in this subsection, "displaced worker protection costs" means the
2839 reasonable costs incurred, prior to January 1, 2008, (A) by an electric
2840 supplier, exempt wholesale generator, electric company, an operator of
2841 a nuclear power generating facility in this state or a generation entity
2842 or affiliate arising from the dislocation of any employee other than an
2843 officer, provided such dislocation is a result of (i) restructuring of the
2844 electric generation market and such dislocation occurs on or after July

2845 1, 1998, or (ii) the closing of a Title IV source or an exempt wholesale
2846 generator, as defined in 15 USC 79z-5a, on or after January 1, 2004, as a
2847 result of such source's failure to meet requirements imposed as a result
2848 of sections 22a-197 and 22a-198 and this section or those Regulations of
2849 Connecticut State Agencies adopted by the Department of Energy and
2850 Environmental Protection, as amended from time to time, in
2851 accordance with Executive Order Number 19, issued on May 17, 2000,
2852 and provided further such costs result from either the execution of
2853 agreements reached through collective bargaining for union
2854 employees or from the company's or entity's or affiliate's programs
2855 and policies for nonunion employees, and (B) by an electric
2856 distribution company or an exempt wholesale generator arising from
2857 the retraining of a former employee of an unaffiliated exempt
2858 wholesale generator, which employee was involuntarily dislocated on
2859 or after January 1, 2004, from such wholesale generator, except for
2860 cause. "Displaced worker protection costs" includes costs incurred or
2861 projected for severance, retraining, early retirement, outplacement,
2862 coverage for surviving spouse insurance benefits and related expenses.

2863 Sec. 51. (NEW) (*Effective from passage*) The Public Utilities Regulatory
2864 Authority, in consultation with the Department of Public Health, may,
2865 upon application of a water company, as defined in section 16-1 of the
2866 general statutes, order such water company to extend its system to
2867 serve properties that the authority determines are served by a deficient
2868 well system, as described in subdivision (2) of subsection (a) of section
2869 16-262n of the general statutes, as amended by this act, if the authority
2870 determines that the net costs of extending water service are reasonable.
2871 The cost recovery, rates and charges of such extension shall be treated
2872 in the same manner as provided for acquisitions pursuant to section
2873 16-262o or 16-262s of the general statutes.

2874 Sec. 52. Subsection (d) of section 16-19ww of the 2014 supplement to
2875 the general statutes is repealed and the following is substituted in lieu
2876 thereof (*Effective from passage*):

2877 (d) In reviewing the natural gas infrastructure expansion plan

2878 pursuant to subsection (c) of this section, in order to protect the
2879 interests of ratepayers and ensure revenue recovery for gas companies,
2880 and consistent with the recommendations of the Comprehensive
2881 Energy Strategy, the authority shall, in accordance with section 16-
2882 1900, (1) establish a hurdle rate utilizing a twenty-five-year payback
2883 period to compare the revenue requirement of connecting new
2884 customers to the gas distribution system to determine the level of new
2885 business capital expenditures that will be recoverable through rates,
2886 taking into consideration any nonfirm margin credits pursuant to
2887 subparagraph (B) of subdivision (4) of this subsection that will offset
2888 the expansion costs of the gas companies, provided the authority shall
2889 develop a methodology that reasonably accounts for revenues that
2890 would be collected from new customers who signaled an intention to
2891 switch to natural gas over a period of at least three years within a
2892 common geographic location, (2) establish a new rate for new
2893 customers added pursuant to the natural gas infrastructure expansion
2894 plan to offset incremental costs of expanding natural gas infrastructure
2895 pursuant to such plan, (3) establish a rate mechanism for the gas
2896 companies to recover prudent investments made pursuant to the
2897 approved natural gas infrastructure expansion plan in a timely manner
2898 outside of a rate proceeding, provided such mechanism shall take into
2899 consideration the additional revenues that the gas companies will
2900 generate through implementation of such plan, and (4)
2901 notwithstanding the provisions of section 16-19b, effective for the
2902 period of the natural gas expansion plan, (A) assign at least half of the
2903 nonfirm margin credit to [offset the rate base] be credited to ratepayers
2904 of the gas companies through a purchased gas adjustment clause
2905 established pursuant to section 16-19b, and (B) assign the lesser of (i)
2906 an amount equal to half of the nonfirm margin credit, or (ii) an amount
2907 equal to fifteen million dollars from the nonfirm margin credit
2908 annually for all gas companies in the aggregate, apportioned to each
2909 gas company in proportion to revenues of [and] the existing and new
2910 capacity contracted for by each gas company, to offset expansion costs,
2911 including, but not limited to, the costs of adding new state, municipal,
2912 residential, commercial and industrial customers, [where such

2913 additions provide societal benefits, including, but not limited to,
2914 increased or retained employment, local economic development,
2915 environmental benefits and transit-oriented development goals.]

2916 Sec. 53. Section 16a-2 of the general statutes is repealed and the
2917 following is substituted in lieu thereof (*Effective from passage*):

2918 As used in this chapter:

2919 [(a)] (1) "Department" means the Department of Energy and
2920 Environmental Protection;

2921 [(b)] "Board" means the Connecticut Energy Advisory Board;]

2922 [(c)] (2) "Commissioner" means the Commissioner of Energy and
2923 Environmental Protection;

2924 [(d)] (3) "Energy" means work or heat that is, or may be, produced
2925 from any fuel or source whatsoever;

2926 [(e)] (4) "Energy emergency" means a situation where the health,
2927 safety or welfare of the citizens of the state is threatened by an actual
2928 or impending acute shortage in usable energy resources;

2929 [(f)] (5) "Energy resource" means natural gas, petroleum products,
2930 coal and coal products, wood fuels, geothermal sources, radioactive
2931 materials and any other resource yielding energy;

2932 [(g)] (6) "Person" means any individual, firm, partnership,
2933 association, syndicate, company, trust, corporation, limited liability
2934 company, municipality, agency or political or administrative
2935 subdivision of the state, or other legal entity of any kind;

2936 [(h)] (7) "Service area" means any geographic area serviced by the
2937 same energy-producing public service company, as defined in section
2938 16-1;

2939 [(i)] (8) "Renewable resource" means solar, wind, water, wood or

2940 other biomass source of energy and geothermal energy;

2941 [(j)] (9) "Energy-related products" means [(1)] (A) energy systems
2942 and equipment that utilize renewable resources to provide space
2943 heating or cooling, water heating, electricity or other useful energy,
2944 [(2)] (B) insulation materials, and [(3)] (C) equipment designed to
2945 conserve energy or increase the efficiency of its use, including that
2946 used for residential, commercial, industrial and transportation
2947 purposes;

2948 [(k)] (10) "Energy-related services" means [(1)] (A) the design,
2949 construction, installation, inspection, maintenance, adjustment or
2950 repair of energy-related products, [(2)] (B) inspection, adjustment,
2951 maintenance or repair of any conventional energy system, [(3)] (C) the
2952 performance of energy audits or the provision of energy management
2953 consulting services, and [(4)] (D) weatherization activities carried out
2954 under any federal, state or municipal program;

2955 [(l)] (11) "Conventional energy system" means any system for
2956 supplying space heating or cooling, ventilation or domestic or
2957 commercial hot water which is not included in [subdivision (1) of
2958 subsection (j)] subparagraph (A) of subdivision (9) of this section;

2959 [(m)] (12) "Energy supply" means any energy resource capable of
2960 being used to perform useful work and any form of energy such as
2961 electricity produced or derived from energy resources which may be
2962 so used; and

2963 [(n)] (13) "Energy facility" means a structure that generates,
2964 transmits or stores electricity, natural gas, refined petroleum products,
2965 renewable fuels, coal and coal products, wood fuels, geothermal
2966 sources, radioactive material and other resources yielding energy.

2967 Sec. 54. Subsection (a) of section 16-262n of the general statutes is
2968 repealed and the following is substituted in lieu thereof (*Effective from*
2969 *passage*):

2970 (a) As used in this section, sections 16-262o to 16-262q, inclusive,
2971 and section 16-262s, "water company" means either (1) a corporation,
2972 company, association, joint stock association, partnership,
2973 municipality, other entity or person, or lessee thereof, owning, leasing,
2974 maintaining, operating, managing or controlling any pond, lake,
2975 reservoir, stream, well or distributing plant or system employed for
2976 the purpose of supplying water to not less than two service
2977 connections or twenty-five persons, or (2) a deficient well system
2978 serving existing properties within a defined geographic area with not
2979 less than twenty-five persons served by private wells that (A) do not
2980 meet public health standards for potable water, (B) have had funding
2981 discontinued for filters provided pursuant to subsection (a) of section
2982 22a-471 to respond to documented groundwater contamination, (C)
2983 are otherwise unable to serve the existing properties with adequate
2984 water quality, volume or pressure, or (D) limit the on-site resolution of
2985 documented wastewater disposal issues in the system.

2986 Sec. 55. (*Effective from passage*) The Public Utilities Regulatory
2987 Authority shall study the feasibility of allowing a nonprofit entity to
2988 aggregate electric meters that are billable to such entity. The study
2989 shall include, but not be limited to, potential costs and benefits to
2990 electric ratepayers for allowing such aggregation. On or before January
2991 1, 2015, the authority shall report the findings of such study and any
2992 recommended statutory changes to the joint standing committee of the
2993 General Assembly having cognizance of matters relating to energy, in
2994 accordance with the provisions of section 11-4a of the general statutes.

2995 Sec. 56. Section 16a-7b of the 2014 supplement to the general statutes
2996 is repealed and the following is substituted in lieu thereof (*Effective*
2997 *from passage*):

2998 [(a) Not later than December 1, 2004, the Connecticut Energy
2999 Advisory Board shall develop infrastructure criteria guidelines for the
3000 evaluation process under subsection (f) of section 16a-7c, which
3001 guidelines shall be consistent with state environmental policy, state
3002 economic development policy, and the state's policy regarding the

3003 restructuring of the electric industry, as set forth in section 16-244, and
3004 shall include, but not be limited to, the following: (1) Environmental
3005 preference standards; (2) efficiency standards, including, but not
3006 limited to, efficiency standards for transmission, generation and
3007 demand-side management; (3) generation preference standards; (4)
3008 electric capacity, use trends and forecasted resource needs; (5) natural
3009 gas capacity, use trends and forecasted resource needs; and (6)
3010 national and regional reliability criteria applicable to the regional bulk
3011 power grid, as determined in consultation with the regional
3012 independent system operator, as defined in section 16-1. In developing
3013 environmental preference standards, the board shall consider the
3014 recommendations and findings of the task force established pursuant
3015 to section 25-157a and Executive Order Number 26 of Governor John
3016 G. Rowland.]

3017 [(b)] No municipality other than a municipality operating a plant
3018 pursuant to chapter 101 or any special act and acting for purposes
3019 thereto may take an action to condemn, in whole or in part, or restrict
3020 the operation of any existing and currently operating energy facility, if
3021 such facility is first determined by the Public Utilities Regulatory
3022 Authority, following a contested case proceeding, held in accordance
3023 with the provisions of chapter 54, to comprise a critical, unique and
3024 unmovable component of the state's energy infrastructure, unless the
3025 municipality first receives written approval from the Commissioner of
3026 Energy and Environmental Protection and the Connecticut Siting
3027 Council that such taking would not have a detrimental impact on the
3028 state's or region's ability to provide a particular energy resource to its
3029 citizens.

3030 Sec. 57. Subparagraph (A) of subdivision (57) of section 12-81 of the
3031 2014 supplement to the general statutes is repealed and the following
3032 is substituted in lieu thereof (*Effective from passage and applicable to*
3033 *assessment years commencing on and after October 1, 2014*):

3034 (57) (A) (i) Any Class I renewable energy source, as defined in
3035 section 16-1, or hydropower facility described in subdivision (27) of

3036 subsection (a) of section 16-1, installed for the generation of electricity
3037 for private residential use or on a farm, as defined in subsection (q) of
3038 section 1-1, provided such installation occurs on or after October 1,
3039 2007, and further provided such installation is for a single family
3040 dwelling, a multifamily dwelling consisting of two to four units or a
3041 farm, [or] (ii) any passive or active solar water or space heating system,
3042 or (iii) any geothermal energy resource. In the case of clause (ii) or (iii)
3043 of this subparagraph, such exemption shall apply only to the amount
3044 by which the assessed valuation of the real property equipped with
3045 such system or resource exceeds the assessed valuation of such real
3046 property equipped with the conventional portion of the system or
3047 resource;

3048 Sec. 58. Subparagraph (D) of subdivision (57) of section 12-81 of the
3049 2014 supplement to the general statutes is repealed and the following
3050 is substituted in lieu thereof (*Effective from passage and applicable to*
3051 *assessment years commencing on and after October 1, 2014*):

3052 (D) For assessment years commencing on and after October 1, 2014,
3053 any (i) Class I renewable energy source, as defined in section 16-1, (ii)
3054 hydropower facility described in subdivision (27) of subsection (a) of
3055 section 16-1, or (iii) solar thermal or geothermal renewable energy
3056 source, installed for generation or displacement of energy, provided
3057 [(i)] (I) such installation occurs on or after January 1, 2014, [(ii)] (II) is
3058 for commercial or industrial purposes, [and (iii)] (III) the nameplate
3059 capacity of such source or facility does not exceed the load for the
3060 location where such generation or displacement is located or the
3061 aggregated load of the beneficial accounts for any Class I renewable
3062 energy source participating in virtual net metering pursuant to section
3063 16-244u, and (IV) in the case of clause (iii) of this subparagraph, such
3064 exemption shall apply only to the amount by which the assessed
3065 valuation of the real property equipped with such source exceeds the
3066 assessed valuation of such real property equipped with the
3067 conventional portion of the source;

3068 Sec. 59. Subdivision (2) of subsection (c) of section 16-245d of the

2014 supplement to the general statutes, as amended by section 1 of substitute senate bill 2 of the current session, as amended by senate amendment schedule "A", is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) On or before July 1, 2014, the authority shall initiate a docket to redesign (A) the standard billing format for residential customers implemented pursuant to subdivision (1) of this subsection to better enable such residential customers to compare pricing policies and charges among electric suppliers, and (B) the account summary page of a residential customer located on the electric distribution company's Internet web site. The authority shall issue a final decision on such docket not later than six months after its initiation. Such final decision shall include the placement of the following items on the first page of each [residential customer's bill from an electric distribution company pursuant to subdivision (4) of this subsection] bill for each residential customer receiving electric generation service from an electric supplier: (i) The electric generation service rate; (ii) the term and expiration date of such rate; (iii) any change to such rate effective for the next billing cycle; (iv) the cancellation fee, if applicable, provided there is such a change; (v) notification that such rate is variable, if applicable; (vi) the standard service rate; (vii) the term and expiration date of the standard service rate; (viii) the dollar amount that would have been billed for the electric generation services component had the customer been receiving standard service; and (ix) an electronic link or Internet web site address to the rate board Internet web site described in section 16-244d, as amended by [this act] substitute senate bill 2 of the current session, as amended by senate amendment schedule "A", and the toll-free telephone number and other information necessary to enable the customer to obtain standard service. Such final decision shall also include the feasibility of (I) an electric distribution company transferring a residential customer receiving electric generation service from an electric supplier to a different electric supplier in a timely manner and ensuring that the electric distribution company and the relevant electric suppliers provide timely information to each other to

3103 facilitate such transfer, and (II) allowing residential customers to
3104 choose how to receive information related to bill notices, including
3105 United States mail, electronic mail, text message, an application on a
3106 cellular telephone or a third-party notification service approved by the
3107 authority. On or before July 1, 2015, the authority shall implement, or
3108 cause to be implemented, the redesigned standard billing format and
3109 Internet web site for a customer's account summary. On or before July
3110 1, 2020, and every five years thereafter, the authority shall reopen such
3111 docket to ensure the standard billing format and Internet web site for a
3112 customer's account summary remains a useful tool for customers to
3113 compare pricing policies and charges among electric suppliers.

3114 Sec. 60. Subsection (c) of section 16-245d of the 2014 supplement to
3115 the general statutes, as amended by section 1 of substitute senate bill 2
3116 of the current session, as amended by senate amendment schedule "A",
3117 is repealed and the following is substituted in lieu thereof (*Effective*
3118 *from passage*):

3119 (c) From the effective date of this section, and until one year after
3120 the effective date of this section, inclusive, each electric distribution
3121 company shall, on a quarterly basis, include the following items in a
3122 bill insert to each residential customer who obtains standard service or
3123 electric generation service from an electric supplier: (1) The [electric
3124 generation] standard service rate; (2) the term and expiration date of
3125 such rate; (3) any change to the standard service rate not later than
3126 forty-five days [after the standard rate is approved by the authority]
3127 before the standard service rate is effective; and (4) before any
3128 reference to the term "standard service", the name of the electric
3129 distribution company.

3130 Sec. 61. Subsection (g) of section 16-245 of the 2014 supplement to
3131 the general statutes, as amended by section 2 of substitute senate bill 2
3132 of the current session, as amended by senate amendment schedule "A",
3133 is repealed and the following is substituted in lieu thereof (*Effective July*
3134 *1, 2014*):

3135 (g) As conditions of continued licensure, in addition to the
3136 requirements of subsection (c) of this section: (1) The licensee shall
3137 comply with the National Labor Relations Act and regulations, if
3138 applicable; (2) the licensee shall comply with the Connecticut Unfair
3139 Trade Practices Act and applicable regulations; (3) each generating
3140 facility operated by or under long-term contract to the licensee shall
3141 comply with regulations adopted by the Commissioner of Energy and
3142 Environmental Protection, pursuant to section 22a-174j; (4) the licensee
3143 shall comply with the portfolio standards, pursuant to section 16-245a;
3144 (5) the licensee shall be a member of the New England Power Pool or
3145 its successor or have a contractual relationship with one or more
3146 entities who are members of the New England Power Pool or its
3147 successor and the licensee shall comply with the rules of the regional
3148 independent system operator and standards and any other reliability
3149 guidelines of the regional independent systems operator; (6) the
3150 licensee shall agree to cooperate with the authority and other electric
3151 suppliers in the event of an emergency condition that may jeopardize
3152 the safety and reliability of electric service; (7) the licensee shall comply
3153 with the code of conduct established pursuant to section 16-244h; (8)
3154 for a license to a participating municipal electric utility, the licensee
3155 shall provide open and nondiscriminatory access to its distribution
3156 facilities to other licensed electric suppliers; (9) the licensee or the
3157 entity or entities with whom the licensee has a contractual relationship
3158 to purchase power shall be in compliance with all applicable licensing
3159 requirements of the Federal Energy Regulatory Commission; (10) each
3160 generating facility operated by or under long-term contract to the
3161 licensee shall be in compliance with chapter 277a and state
3162 environmental laws and regulations; (11) the licensee shall comply
3163 with the renewable portfolio standards established in section 16-245a;
3164 (12) the licensee shall offer a time-of-use price option to customers.
3165 Such option shall include a two-part price that is designed to achieve
3166 an overall minimization of customer bills by encouraging the
3167 reduction of consumption during the most energy intense hours of the
3168 day. The licensee shall file its time-of-use rates with the Public Utilities
3169 Regulatory Authority; (13) the licensee shall acknowledge that it is

3170 subject to chapters 208, 212, 212a and 219, as applicable, and the
3171 licensee shall pay all taxes it is subject to in this state; (14) the licensee
3172 shall make available to the authority for posting on the authority's
3173 Internet web site and shall list on the licensee's own Internet web site,
3174 on a monthly basis, the highest and lowest electric generation service
3175 rate charged by the licensee as part of a variable rate offer in each of
3176 the preceding twelve months to any customer [eligible for standard
3177 service] with a peak demand of less than fifty kilowatts during a
3178 twelve month period; and (15) any contract between a licensee and a
3179 residential customer eligible for standard service entered into on and
3180 after the effective date of this section shall provide for the same electric
3181 generation service rate that may not be exceeded for at least the first
3182 three billing cycles of the contract, provided the licensee may decrease
3183 such rate at any time. Also as a condition of licensure, the authority
3184 shall prohibit each licensee from declining to provide service to
3185 customers for the reason that the customers are located in
3186 economically distressed areas. The authority may establish additional
3187 reasonable conditions to assure that all retail customers will continue
3188 to have access to electric generation services.

3189 Sec. 62. Subdivision (1) of subsection (f) of section 16-245o of the
3190 2014 supplement to the general statutes, as amended by section 4 of
3191 substitute senate bill 2, as amended by senate amendment schedule
3192 "A", is repealed and the following is substituted in lieu thereof
3193 (*Effective from passage*):

3194 (f) (1) Until [January 1, 2015] the standard summary form described
3195 in subsection (e) of this section is developed, each electric supplier
3196 shall, prior to the initiation of electric generation services, provide the
3197 potential residential customer with a written notice describing the
3198 rates, information on air emissions and resource mix of generation
3199 facilities operated by and under long-term contract to the supplier,
3200 terms and conditions of the service, and a notice describing the
3201 customer's right to cancel the service, as provided in this section. [On
3202 and after January 1, 2015] After development of such standard

3203 summary form, each electric supplier shall, prior to initiation of electric
3204 generation services, provide the potential residential customer with a
3205 completed standard summary form. [developed pursuant to
3206 subsection (e) of this section.] Each electric supplier shall, prior to the
3207 initiation of electric generation services, provide the potential
3208 commercial or industrial customer with a written notice describing the
3209 rates, information on air emissions and resource mix of generation
3210 facilities operated by and under long-term contract to the supplier,
3211 terms and conditions of the service, and a notice describing the
3212 customer's right to cancel the service, as provided in this section.

3213 Sec. 63. Subdivision (3) of subsection (g) of section 16-245o of the
3214 2014 supplement to the general statutes, as amended by section 4 of
3215 substitute senate bill 2 of the current session, as amended by senate
3216 amendment schedule "A", is repealed and the following is substituted
3217 in lieu thereof (*Effective from passage*):

3218 (3) No electric supplier shall charge an electric generation service
3219 rate to a residential customer that is twenty-five per cent more than
3220 [(A)] the original contract price [, or (B) the last rate notification
3221 provided by the electric supplier,] of a contract entered into after the
3222 effective date of this section without [disclosing] notifying such
3223 customer of the rate change [described in subparagraphs (A) or (B) of
3224 this subdivision] fifteen days before it takes effect, provided such
3225 notice shall only be required for the first instance such rate is twenty-
3226 five per cent more than the original contract price. After such one-time
3227 notice, no electric supplier shall charge an electric generation service
3228 rate to a residential customer that is twenty-five per cent more than the
3229 most recent notice of the rate change without notifying such customer
3230 of the rate change fifteen days before it takes effect. [The] Any
3231 notification described in this subdivision shall be provided pursuant to
3232 the method agreed to by the customer in the contract and may include
3233 written notice through United States mail, electronic mail, text
3234 message, an application on a cellular telephone, or third-party
3235 notification service approved by the authority.

3236 Sec. 64. Subsection (c) of section 32-80a of the 2014 supplement to
3237 the general statutes is repealed and the following is substituted in lieu
3238 thereof (*Effective from passage*):

3239 (c) An energy improvement district board shall fund energy
3240 improvement district distributed resources in its district consistent
3241 with a comprehensive plan prepared for the district by said board for
3242 the development and financing of such resources, except on state or
3243 federally owned properties, with a view to increasing efficiency and
3244 reliability and the furtherance of commerce and industry in the energy
3245 improvement district, provided such district's plan shall be consistent
3246 with the [state-wide procurement and deployment plan prepared and
3247 approved pursuant to section 16a-7c and the] siting determinations of
3248 the Connecticut Siting Council. The board may lease or acquire office
3249 space and equip the same with suitable furniture and supplies for the
3250 performance of work of the board and may employ such personnel as
3251 may be necessary for such performance. The board also shall have
3252 power to:

3253 (1) Sue and be sued;

3254 (2) Have a seal and alter the same;

3255 (3) Confer with any body or official having to do with electric power
3256 distribution facilities within and without the district and hold public
3257 hearings as to such facilities;

3258 (4) Confer with electric distribution companies with reference to the
3259 development of electric distribution facilities in such district and the
3260 coordination of the same;

3261 (5) Determine the location, type, size and construction of energy
3262 improvement district distributed resources, subject to the approval of
3263 any department, commission or official of the United States, the state
3264 or the municipality where federal, state or municipal statute or
3265 regulation requires it;

3266 (6) Make surveys, maps and plans for, and estimates of the cost of,
3267 the development and operation of requisite energy improvement
3268 district distributed resources and for the coordination of such facilities
3269 with existing agencies, both public and private, with the view of
3270 increasing the efficiency of the electric distribution system in the
3271 district and in the furtherance of commerce and industry in the district;

3272 (7) Enter into contracts and leases, make loans and execute all
3273 instruments necessary to carry out their duties pursuant to this
3274 subsection and subsection (d) of this section, including the lending of
3275 proceeds of bonds to owners, lessees or occupants of facilities in the
3276 energy improvement district;

3277 (8) Fix fees, rates, rentals or other charges for the purpose of all
3278 energy improvement district distributed resources owned by the
3279 energy improvement district board and collect such fees, rates, rentals
3280 and other charges for such facilities owned by the board, which fees,
3281 rates, rentals or other charges shall be sufficient to comply with all
3282 covenants and agreements with the holders of any bonds issued
3283 pursuant to subsection (b) of this section;

3284 (9) Operate and maintain all energy improvement district
3285 distributed resources owned or leased by the board and use the
3286 revenues from such resources for the corporate purposes of the board
3287 in accordance with any covenants or agreements contained in the
3288 proceedings authorizing the issuance of bonds pursuant to subsection
3289 (b) of this section;

3290 (10) Accept gifts, grants, loans or contributions from the United
3291 States, the state or any agency or instrumentality of either, or a person
3292 or corporation, by conveyance, bequest or otherwise, and expend the
3293 proceeds for any purpose of the board and, as necessary, contract with
3294 the United States, the state or any agency or instrumentality of either
3295 to accept gifts, grants, loans or contributions on such terms and
3296 conditions as may be provided by the law authorizing the same;

3297 (11) Maintain staff to promote and develop the movement of
3298 commerce through the energy improvement district; and

3299 (12) Use the officers, employees, facilities and equipment of the
3300 municipality, with the consent of the municipality, and pay a proper
3301 portion of the compensation or cost.

3302 Sec. 65. Section 8-31c of the 2014 supplement to the general statutes
3303 is repealed and the following is substituted in lieu thereof (*Effective*
3304 *January 1, 2015*):

3305 (a) (1) Wherever the term "regional planning agency" is used in the
3306 following general statutes, the term "regional council of governments"
3307 shall be substituted in lieu thereof; and (2) wherever the term "regional
3308 planning agencies" is used in the following general statutes, the term
3309 "regional councils of governments" shall be substituted in lieu thereof:
3310 8-35b, 8-35c, 8-164, 8-166, 8-189, 8-336f, 8-384, 13b-38a, 13b-79ll, 16-32f,
3311 16-50l, as amended by this act, 16-358, 16a-28, 16a-35c, 22-26dd, 22a-
3312 102, 22a-118, 22a-137, 22a-207, [22a-211,] 22a-352, 23-8, 25-33e to 25-
3313 33h, inclusive, 25-68d, 25-102qq and 25-233.

3314 (b) The Legislative Commissioners' Office shall, in codifying the
3315 provisions of this section, make such technical, grammatical and
3316 punctuation changes as are necessary to carry out the purposes of this
3317 section.

3318 Sec. 66. Section 22a-260 of the general statutes is repealed and the
3319 following is substituted in lieu thereof (*Effective from passage*):

3320 The following terms, as used in this chapter and chapter 103b,
3321 [shall] have the indicated meanings unless the context in which they
3322 are used demands a different meaning and intent:

3323 (1) "Authority" means the Connecticut Resources Recovery
3324 Authority created and established pursuant to this chapter or any
3325 board, body, commission, department, officer, agency or other
3326 successor thereto;

3327 (2) ["State solid waste management plan"] "State-wide solid waste
3328 management plan" means the administrative and financial plan
3329 developed by the Commissioner of Energy and Environmental
3330 Protection for solid waste disposal and resources recovery, pursuant to
3331 section [22a-211] 22a-228;

3332 (3) "Resources recovery" means the processing of solid wastes to
3333 reclaim energy therefrom;

3334 (4) "Recycling" means the processing of solid waste to reclaim
3335 material therefrom;

3336 (5) "Person" means any individual, firm, partnership, association,
3337 limited liability company or corporation, public or private, organized
3338 or existing under the laws of the state or any other state, including
3339 federal corporations, but excluding municipalities, special districts
3340 having taxing powers or other political subdivisions of the state;

3341 (6) "Waste management services" means actions taken to effectuate
3342 the receipt, storage, transportation and processing for resources
3343 recovery, recycling, reuse of recovered materials, or disposal of solid
3344 wastes, including the sale of products, materials or energy on behalf of
3345 the state, a region, a municipality or a person by the authority or by
3346 any person or persons acting under contract with the authority,
3347 pursuant to the provisions of this chapter;

3348 (7) "Solid waste" means unwanted or discarded solid, liquid,
3349 semisolid or contained gaseous material, including but not limited to,
3350 demolition debris, material burned or otherwise processed at a
3351 resources recovery facility or incinerator, material processed at a
3352 recycling facility and sludges or other residue from a water pollution
3353 abatement facility, water supply treatment plant or air pollution
3354 control facility;

3355 (8) "Solid waste facility" means any solid waste disposal area,
3356 volume reduction plant, transfer station, wood burning facility, or
3357 biomedical waste treatment facility;

3358 (9) "Solid waste disposal area" means any location, including a
3359 landfill or other land disposal site, used for the disposal of more than
3360 ten cubic yards of solid waste;

3361 (10) "Volume reduction plant" means any location or structure,
3362 whether located on land or water, where more than two thousand
3363 pounds per hour of solid waste generated elsewhere may be reduced
3364 in volume, including but not limited to, resources recovery facilities
3365 and other incinerators, recycling facilities, pulverizers, compactors,
3366 shredders, balers and composting facilities;

3367 (11) "Resources recovery facility" means a facility utilizing processes
3368 aimed at reclaiming the material or energy values from solid wastes;

3369 (12) "Transfer station" means any location or structure, whether
3370 located on land or water, where more than ten cubic yards of solid
3371 waste, generated elsewhere, may be stored for transfer or transferred
3372 from transportation units and placed in other transportation units for
3373 movement to another location, whether or not such waste is stored at
3374 the location prior to transfer;

3375 (13) "Recycling facility" or "recycling center" means land and
3376 appurtenances thereon and structures where recycling is conducted,
3377 including but not limited to, an intermediate processing center as
3378 defined in this section;

3379 (14) "Solid waste planning region" means those municipalities or
3380 parts thereof within or forming an area defined in the [state] state-wide
3381 solid waste management plan;

3382 (15) "Municipality" means any town, city or borough within the
3383 state;

3384 (16) "Municipal authority" means the local governing body having
3385 legal jurisdiction over solid waste management within its corporate
3386 limits which shall be, in the case of any municipality which adopts a
3387 charter provision or ordinance pursuant to section 7-273aa, the

3388 municipal resource recovery authority;

3389 (17) "Region" means two or more municipalities which have joined
3390 together by creating a district or signing an interlocal agreement or
3391 signing a mutual contract for a definite period of time concerning solid
3392 waste management within such municipalities;

3393 (18) "Regional authority" means the administrative body delegated
3394 the responsibility for solid waste management in a region;

3395 (19) "Bonds" means bonds of the authority issued pursuant to the
3396 provisions of this chapter and the authorizing resolutions of said
3397 authority;

3398 (20) "Notes" means notes of the authority issued pursuant to this
3399 chapter and the resolutions of the authority, either in anticipation of
3400 and pending the issuance of bonds by [said] the authority or
3401 otherwise;

3402 (21) "Revenues" means moneys or income received by the authority
3403 in whatever form, including but not limited to fees, charges, lease
3404 payments, interest payments on investments, payments due and
3405 owing on account of any instrument, contract or agreement between
3406 the authority and any municipality, region, state agency or person,
3407 gifts, grants, bestowals or any other moneys or payments to which the
3408 authority is entitled under the provisions of this chapter or any other
3409 law, or of any agreement, contract or indenture of the authority;

3410 (22) "Waste management project" means any solid waste disposal
3411 and resources recovery area, plant, works, system, facility or
3412 component of a facility, equipment, machinery or other element of a
3413 facility which the authority is authorized to plan, design, finance,
3414 construct, manage, operate or maintain under the provisions of this
3415 chapter, including real estate and improvements thereto and the
3416 extension or provision of utilities and other appurtenant facilities
3417 deemed necessary by the authority for the operation of a project or
3418 portion of a project, including all property rights, easements and

3419 interests required;

3420 (23) "Solid waste management system" means that portion of the
3421 overall [state] state-wide solid waste management plan specifically
3422 designed to deal with the provision of waste management services and
3423 to effect resources recovery and recycling by means of a network of
3424 waste management projects and resources recovery facilities
3425 developed, established and operated by the authority by contract or
3426 otherwise, but not embracing or including any regulatory or
3427 enforcement activities of the Department of Energy and Environmental
3428 Protection in accordance with applicable provisions of the general
3429 statutes and as may be referred to in the [state] state-wide solid waste
3430 management plan as developed and promulgated by the
3431 Commissioner of Energy and Environmental Protection;

3432 (24) "Costs" means the cost or fair market value, as determined by
3433 the authority, of construction, lands, property rights, utility extensions,
3434 disposal facilities, access roads, easements, franchises, financing
3435 charges, interest, engineering and legal services, plans, specifications,
3436 surveys, cost estimates, studies, transportation and other expenses
3437 necessary or incidental to the design, development, construction,
3438 financing, management and operation and maintenance of a waste
3439 management project, and such other costs or expenses of the authority,
3440 including administrative and operating costs, research and
3441 development, and operating capital, including fees, charges, loans,
3442 insurances, and the expense of purchasing real and personal property,
3443 including waste management projects;

3444 (25) "Intermediate processing facility" means a facility where glass,
3445 metals, paper products, batteries, household hazardous waste,
3446 fertilizers and other items are removed from the waste stream for
3447 recycling or reuse;

3448 (26) "Composting facility" means land, appurtenances, structures or
3449 equipment where organic materials originating from another process
3450 or location that have been separated at the point or source of

3451 generation from nonorganic material are recovered using a process of
3452 accelerated biological decomposition of organic material under
3453 controlled aerobic or anaerobic conditions;

3454 (27) "Source-separated organic material" means organic material,
3455 including, but not limited to, food scraps, food processing residue and
3456 soiled or unrecyclable paper that has been separated at the point or
3457 source of generation from nonorganic material.

3458 Sec. 67. Section 22a-639 of the general statutes is repealed and the
3459 following is substituted in lieu thereof (*Effective October 1, 2014*):

3460 (a) Not later than October 1, 2010, and every three years thereafter,
3461 the commissioner shall prepare an electronics recycling plan that
3462 establishes state-wide per-capita collection and recycling goals and
3463 identifies any necessary actions to achieve such goals. Such report shall
3464 be posted on the department's Internet web site, [and a copy of such
3465 report submitted, in accordance with the provisions of section 11-4a, to
3466 the joint standing committee of the General Assembly having
3467 cognizance of matters relating to the environment.]

3468 (b) Not later than October 1, 2010, and annually thereafter, the
3469 commissioner shall gather information from registrants and prepare a
3470 report regarding the status of the electronics recycling program. [The
3471 commissioner shall submit such report to the joint standing committee
3472 of the General Assembly having cognizance of matters relating to the
3473 environment, in accordance with the provisions of section 11-4a.] Such
3474 report shall contain: (1) Sufficient data, as determined by the
3475 commissioner, and analysis of such data to evaluate the effectiveness
3476 of the state-wide recycling program and the components of such
3477 program, and (2) if at any time the federal government establishes a
3478 national program for the collection and recycling of electronic devices
3479 and the department determines that the federal law substantially
3480 meets or exceeds the requirements of sections 22a-629 to 22a-640,
3481 inclusive, information on the federal law. Such report shall be posted
3482 on the department's Internet web site.

3483 Sec. 68. Section 25-201 of the 2014 supplement to the general statutes
3484 is repealed and the following is substituted in lieu thereof (*Effective*
3485 *from passage*):

3486 For the purposes of sections 25-200 to 25-210, inclusive:

3487 (1) "Approved map" means a map approved by the commissioner
3488 pursuant to section 25-205;

3489 (2) "Approved river corridor protection plan" means a river corridor
3490 protection plan approved by the commissioner pursuant to section 25-
3491 205;

3492 (3) "Clear cutting" means removal of all standing woody vegetation
3493 greater than one inch diameter at breast height within a designated
3494 river corridor;

3495 (4) "Commissioner" means the Commissioner of Energy and
3496 Environmental Protection or his agent;

3497 (5) "Designation" means designation, by act of the General
3498 Assembly, of a river corridor for protection and preservation in
3499 accordance with an approved river corridor protection plan and the
3500 provisions of sections 25-200 to 25-210, inclusive;

3501 (6) "Designated river corridor" means that portion of a river corridor
3502 defined on a map prepared in accordance with section 25-204 and
3503 which has been designated by the General Assembly pursuant to
3504 sections 25-200 to 25-210, inclusive;

3505 (7) "Eligible river corridor" means a river corridor which is included
3506 on the list adopted by the commissioner pursuant to section 25-202;

3507 (8) "Local drainage basin" means a local drainage basin referenced
3508 on a map entitled "Natural Drainage Basins of Connecticut", published
3509 by the Department of Energy and Environmental Protection, 1981;

3510 (9) "Member municipality" means a municipality which is a member

3511 of a river committee established pursuant to section 25-203;

3512 (10) "Major state plan" means the plan for development of outdoor
3513 recreation adopted pursuant to section 22a-21, the state-wide solid
3514 waste management plan adopted pursuant to section [22a-211] 22a-
3515 228, the state-wide plan for the management of water resources
3516 adopted pursuant to section 22a-352, the state-wide environmental
3517 plan adopted pursuant to section 22a-8, the plan for the disposal of
3518 dredged material for Long Island Sound, the historic preservation plan
3519 adopted under the National Historic Preservation Act, as amended, the
3520 state-wide facility and capital plan adopted pursuant to section 4b-23,
3521 the water quality management plan adopted under the federal Clean
3522 Water Act, the marine resources management plan, the plan for
3523 managing forest resources, the wildlife management plans and the
3524 salmon restoration plan;

3525 (11) "Person" means "person" as defined in section 22a-2;

3526 (12) "River corridor" means any river, river segment or river system,
3527 together with its floodplains, wetlands and uplands, contributing
3528 overland runoff to such river, river segment or river system;

3529 (13) "River committee" means a river committee established
3530 pursuant to section 25-203;

3531 (14) "River system" means a river, its tributaries and any lands
3532 draining into such river or its tributaries;

3533 (15) "Secretary" means the Secretary of the Office of Policy and
3534 Management or his agent;

3535 (16) "State rivers assessment data base" means the state-wide
3536 assessment of the state's rivers prepared by the commissioner pursuant
3537 to subdivision (3) of subsection (c) of section 25-102qq;

3538 (17) "State plan for conservation and development" means the state
3539 plan for conservation and development prepared pursuant to part I of

3540 chapter 297;

3541 (18) "Subregional drainage basin" means a subregional drainage
3542 basin as depicted on a map entitled "Natural Drainage Basins of
3543 Connecticut", published by the Department of Energy and
3544 Environmental Protection, 1981; and

3545 (19) "Water-dependent use" means a use which, by its nature or
3546 function, requires direct access to, or location in or immediately
3547 adjacent to, water and which therefore cannot be located upland and
3548 shall include such recreational uses as riverside trails and bicycle
3549 paths.

3550 Sec. 69. Section 25-231 of the 2014 supplement to the general statutes
3551 is repealed and the following is substituted in lieu thereof (*Effective*
3552 *from passage*):

3553 As used in sections 25-230 to 25-238, inclusive:

3554 (1) "Approved river corridor management plan" means a river
3555 corridor management plan approved by the commissioner pursuant to
3556 section 25-235;

3557 (2) "Commissioner" means the Commissioner of Energy and
3558 Environmental Protection or his agent;

3559 (3) "Local drainage basin" means a local drainage basin as
3560 referenced on a map entitled "Natural Drainage Basins of Connecticut",
3561 published by the Department of Energy and Environmental Protection,
3562 1981;

3563 (4) "Major state plan" means any of the following: The plan for
3564 development of outdoor recreation adopted pursuant to section 22a-21,
3565 the state-wide solid waste management plan adopted pursuant to
3566 section [22a-211] 22a-228, the state-wide plan for the management of
3567 water resources adopted pursuant to section 22a-352, the state-wide
3568 environmental plan adopted pursuant to section 22a-8, the historic

3569 preservation plan adopted under the National Historic Preservation
3570 Act, 16 USC 470 et seq., the state-wide facility and capital plan adopted
3571 pursuant to section 4b-23, the state's consolidated plan for housing and
3572 community development prepared pursuant to section 8-37t, the water
3573 quality management plan adopted under the federal Clean Water Act,
3574 33 USC 1251 et seq., any plans for managing forest resources adopted
3575 pursuant to section 23-20 and the Connecticut River Atlantic Salmon
3576 Compact adopted pursuant to section 26-302;

3577 (5) "Member municipality" means a municipality which is a member
3578 of a river commission established pursuant to section 25-232;

3579 (6) "Person" means person, as defined in section 22a-2;

3580 (7) "River advisory board" means any of the following: The Five
3581 Mile River Commission established pursuant to section 15-26a, the
3582 Connecticut River Gateway Commission established pursuant to
3583 section 25-102e, the Connecticut River Assembly established pursuant
3584 to section 25-102dd, the Bi-State Pawcatuck River Commission
3585 established pursuant to section 25-161, the Niantic River Gateway
3586 Commission established pursuant to section 25-109e, the Housatonic
3587 Estuary Commission established pursuant to section 25-170, the
3588 Farmington River Coordinating Committee established pursuant to the
3589 National Wild and Scenic Rivers Act, 16 USC 1274 et seq., the Shepaug-
3590 Bantam River Board or a river committee established pursuant to
3591 section 25-203;

3592 (8) "River corridor" means any river, river segment or river system,
3593 together with its floodplains, wetlands and uplands, contributing
3594 overland runoff to such river, river segment or river system;

3595 (9) "River commission" means a river commission established
3596 pursuant to section 25-232;

3597 (10) "River system" means a river, its tributaries and any lands
3598 draining into such river or its tributaries;

3599 (11) "Secretary" means the Secretary of the Office of Policy and
3600 Management or his agent;

3601 (12) "State rivers assessment database" means the state-wide
3602 assessment of the state's rivers prepared by the commissioner pursuant
3603 to subdivision (3) of subsection (c) of section 25-102qq;

3604 (13) "State plan for conservation and development" means the state
3605 plan for conservation and development prepared pursuant to part I of
3606 chapter 297;

3607 (14) "Subregional drainage basin" means a subregional drainage
3608 basin as referenced on a map entitled "Natural Drainage Basins of
3609 Connecticut", published by the Department of Energy and
3610 Environmental Protection, 1981;

3611 (15) "Water-dependent use" means a use which, by its nature or
3612 function, requires direct access to, or location in or immediately
3613 adjacent to, water and which therefore cannot be located upland, and
3614 includes such recreational uses as riverside trails and bicycle paths;

3615 (16) "Use" means agriculture, public and private water supply,
3616 power generation, waste assimilation, transportation, recreation,
3617 including, but not limited to, boating, swimming, fishing, camping and
3618 hiking and residential, commercial, industrial and other water-
3619 dependent uses; and

3620 (17) "Resource" means any riparian waters of the state, related
3621 fisheries and wildlife habitat and adjacent shorelands, both developed
3622 and undeveloped; any vegetation, fish and wildlife; endangered and
3623 threatened species, species of special concern and essential habitat
3624 identified by the commissioner pursuant to chapter 495; tidal and
3625 inland wetlands; unique geologic features; scenic areas; forest lands, as
3626 defined in section 23-65f; agricultural lands, as defined in section 22-
3627 26bb; and archaeological and other historical resources.

3628 Sec. 70. Subsection (j) of section 22a-208a of the general statutes is

3629 repealed and the following is substituted in lieu thereof (*Effective from*
3630 *passage*):

3631 (j) The Commissioner of Energy and Environmental Protection may
3632 issue an approval for a demonstration project for any activity
3633 regulated by the commissioner under this chapter provided the
3634 commissioner determines that such demonstration project (1) is
3635 necessary to research, develop or promote methods and technologies
3636 of solid waste management which are consistent with the goals of the
3637 [state] state-wide solid waste management plan; (2) does not pose a
3638 significant risk to human health or the environment; and (3) is not
3639 inconsistent with the federal Water Pollution Control Act, the federal
3640 Rivers and Harbors Act, the federal Clean Air Act or the federal
3641 Resource Conservation and Recovery Act. An application for such
3642 approval shall be on a form prescribed by the commissioner, be
3643 accompanied by a fee of one thousand dollars and shall provide such
3644 information as the commissioner deems necessary. Any person
3645 applying for such approval shall not commence the project prior to the
3646 commissioner's written approval. The commissioner may impose
3647 conditions upon such approval as deemed necessary to adequately
3648 protect human health and the environment or to ensure project success
3649 and such approval shall be valid for a period of not more than two
3650 years. The commissioner may renew such approval provided the total
3651 period of approval does not exceed five years. The commissioner may
3652 order summary suspension of any such approval in accordance with
3653 subsection (c) of section 4-182. Notwithstanding the renewal process,
3654 any person may seek, or the commissioner may require, that the
3655 project obtain a general or individual permit pursuant to this chapter.

3656 Sec. 71. Subsection (b) of section 22a-219b of the general statutes is
3657 repealed and the following is substituted in lieu thereof (*Effective from*
3658 *passage*):

3659 (b) No grant shall be made under this section to a municipality
3660 unless the solid waste generated within such municipality is delivered
3661 to a facility that has been approved by the Commissioner of Energy

3662 and Environmental Protection for consistency with the [state] state-
3663 wide solid waste management plan and has not less than seventy-five
3664 per cent of its design capacity committed under long-term contractual
3665 agreements on the date of commercial operation. No grant shall be
3666 made unless the municipality has executed, on or before the date of
3667 commercial operation of such facility or system, a long-term
3668 contractual agreement to participate in the facility.

3669 Sec. 72. Subsection (f) of section 22a-220 of the general statutes is
3670 repealed and the following is substituted in lieu thereof (*Effective from*
3671 *passage*):

3672 (f) On and after January 1, 1991, each municipality shall, consistent
3673 with the requirements of section 22a-241b, make provisions for the
3674 separation, collection, processing and marketing of items generated
3675 within its boundaries as solid waste and designated for recycling by
3676 the commissioner pursuant to subsection (a) of section 22a-241b. It
3677 shall be the goal to recycle twenty-five per cent of the solid waste
3678 generated in each municipality provided it shall be the goal to reduce
3679 the weight of such waste by January 1, 2000, by an additional fifteen
3680 per cent by source reduction as determined by reference to the [state]
3681 state-wide solid waste management plan established in 1991, or by
3682 recycling such additional percentage of waste generated, or both. The
3683 provisions of this subsection shall not be construed to require
3684 municipalities to enforce reduction in the quantity of solid waste. On
3685 or before January 1, 1991, each municipality shall: (1) Adopt an
3686 ordinance or other enforceable legal instrument setting forth measures
3687 to assure the compliance of persons within its boundaries with the
3688 requirements of subsection (c) of section 22a-241b and to assure
3689 compliance of collectors with the requirements of subsection (a) of
3690 section 22a-220c, and (2) provide the Commissioner of Energy and
3691 Environmental Protection with the name, address and telephone
3692 number of a person to receive information and respond to questions
3693 regarding recycling from the department on behalf of the municipality.
3694 The municipality shall notify the commissioner within thirty days of

3695 its designation of a new representative to undertake such
3696 responsibilities. A municipality may by ordinance or other enforceable
3697 legal instrument provide for and require the separation and recycling
3698 of other items in addition to those designated pursuant to subsection
3699 (a) of section 22a-241b.

3700 Sec. 73. Subsection (a) of section 22a-222 of the general statutes is
3701 repealed and the following is substituted in lieu thereof (*Effective from*
3702 *passage*):

3703 (a) The Commissioner of Energy and Environmental Protection
3704 shall make a grant for financial assistance to any resources recovery
3705 authority from the proceeds of the sale of any bonds authorized for
3706 such purpose for feasibility studies and development expenses as are
3707 determined to be appropriate by said commissioner which are
3708 incurred prior to permanent financing of a resource recovery system or
3709 an incinerator. Eligible activities shall include, but not be limited to,
3710 the costs of the preparation of financial, technical, legal and
3711 engineering information for the system or incinerator and analysis of
3712 the impact of recycling on such system or incinerator. To be eligible for
3713 a grant, the system or incinerator shall be under study or proposed for
3714 a study and shall be consistent with the [state] state-wide solid waste
3715 management plan.

3716 Sec. 74. Section 22a-259 of the general statutes is repealed and the
3717 following is substituted in lieu thereof (*Effective from passage*):

3718 The following are declared to be policies of the state of Connecticut:
3719 (1) That maximum resources recovery from solid waste and maximum
3720 recycling and reuse of such resources in order to protect, preserve and
3721 enhance the environment of the state shall be considered
3722 environmental goals of the state; (2) that solid waste disposal and
3723 resources recovery facilities and projects are to be implemented either
3724 by the state of Connecticut or under state auspices, in furtherance of
3725 these goals; (3) that appropriate governmental structure, processes and
3726 support are to be provided so that effective state systems and facilities

3727 for solid waste management and large-scale resources recovery may be
3728 developed, financed, planned, designed, constructed and operated for
3729 the benefit of the people and municipalities of the state; (4) that private
3730 industry is to be utilized to the maximum extent feasible to perform
3731 planning, design, management, construction, operation,
3732 manufacturing and marketing functions related to solid waste disposal
3733 and resources recovery and to assist in the development of industrial
3734 enterprise based upon resources recovery, recycling and reuse; (5) that
3735 long-term negotiated contracts between the state and private persons
3736 and industries may be utilized as an incentive for the development of
3737 industrial and commercial enterprise based on resources recovery
3738 within the state; (6) that solid waste disposal services shall be provided
3739 for municipal and regional authorities and private persons in the state,
3740 at reasonable cost, by state systems and facilities where such services
3741 are considered necessary and desirable in accordance with the state-
3742 wide solid waste management plan and that any revenues received
3743 from the payment of the costs of such services otherwise from the
3744 operation of state systems and facilities shall be redistributed to the
3745 users of such services provided that the authority has determined that
3746 all contractual obligations related to such systems and facilities have
3747 been met and that such revenues are surplus and not needed to
3748 provide necessary support for such systems and facilities; (7) that
3749 provision shall be made for planning, research and development, and
3750 appropriate innovation in the design, management and operation of
3751 the state's systems and facilities for solid waste management, in order
3752 to permit continuing improvement and provide adequate incentives
3753 and processes for lowering operating and other costs; (8) that the
3754 authority established pursuant to this chapter shall have responsibility
3755 for implementing solid waste disposal and resources recovery systems
3756 and facilities and solid waste management services where necessary
3757 and desirable throughout the state in accordance with the [state] state-
3758 wide solid waste management plan and applicable statutes and
3759 regulations; (9) that actions and activities performed or carried out by
3760 the authority or its contractors in accordance with the provisions of
3761 this chapter shall be in conformity with the [state] state-wide solid

3762 waste management plan and with other applicable policies and
3763 regulations of the state, as promulgated from time to time in law and
3764 by action of the Department of Energy and Environmental Protection
3765 and Connecticut Innovations, Incorporated; (10) that it being to the
3766 best interest of the state, municipalities, individual citizens and the
3767 environment to minimize the quantity of materials entering the waste
3768 stream that would require collection, transportation, processing, or
3769 disposal by any level of government, it is the intent of this legislation
3770 to promote the presegregation of recoverable or recyclable materials
3771 before they become mixed and included in the waste stream; and that
3772 this intent shall be reflected in the policy of the resources recovery
3773 authority and that no provision of this chapter or action of this
3774 authority shall either discourage or prohibit either voluntary or locally
3775 ordained solid waste segregation programs or the sale of such
3776 segregated materials to private persons, unless the authority has
3777 determined based upon a feasibility report filed with the applicable
3778 municipal authority that the reduced user fees charged to it should
3779 result in its total cost of solid waste management including user fees
3780 paid to the authority to be less without presegregation than with it;
3781 and (11) that these policies and purposes are hereby declared to be in
3782 the public interest and the provisions of this chapter to be necessary
3783 and for the public benefit, as a matter of legislative determination.

3784 Sec. 75. Section 22a-262 of the general statutes is repealed and the
3785 following is substituted in lieu thereof (*Effective from passage*):

3786 (a) The purposes of the authority shall be:

3787 (1) The planning, design, construction, financing, management,
3788 ownership, operation and maintenance of solid waste disposal, volume
3789 reduction, recycling, intermediate processing and resources recovery
3790 facilities and all related solid waste reception, storage, transportation
3791 and waste-handling and general support facilities considered by the
3792 authority to be necessary, desirable, convenient or appropriate in
3793 carrying out the provisions of the [state] state-wide solid waste
3794 management plan and in establishing, managing and operating solid

3795 waste disposal and resources recovery systems and their component
3796 waste-processing facilities and equipment;

3797 (2) The provision of solid waste management services to
3798 municipalities, regions and persons within the state by receiving solid
3799 wastes at authority facilities, pursuant to contracts between the
3800 authority and such municipalities, regions and persons; the recovery of
3801 resources and resource values from such solid wastes; and the
3802 production from such services and resources recovery operations of
3803 revenues sufficient to provide for the support of the authority and its
3804 operations on a self-sustaining basis, with due allowance for the
3805 redistribution of any surplus revenues to reduce the costs of authority
3806 services to the users thereof provided such surplus revenues shall
3807 include any net revenue from activities undertaken pursuant to
3808 subdivisions (18) and (19) of subsection (a) of section 22a-266 and
3809 subdivision (8) of section 22a-267;

3810 (3) The utilization, through contractual arrangements, of private
3811 industry for implementation of some or all of the requirements of the
3812 [state] state-wide solid waste management plan and for such other
3813 activities as may be considered necessary, desirable or convenient by
3814 the authority;

3815 (4) Assistance with and coordination of efforts directed toward
3816 source separation for recycling purposes; and

3817 (5) Assistance in the development of industries, technologies and
3818 commercial enterprises within the state of Connecticut based upon
3819 resources recovery, recycling, reuse and treatment or processing of
3820 solid waste.

3821 (b) These purposes shall be considered to be operating
3822 responsibilities of the authority, in accordance with the [state] state-
3823 wide solid waste management plan, and are to be considered in all
3824 respects public purposes. It is the intention of this chapter that the
3825 authority shall be granted all powers necessary to fulfill these

3826 purposes and to carry out its assigned responsibilities and that the
3827 provisions of this chapter, itself, are to be construed liberally in
3828 furtherance of this intention.

3829 Sec. 76. Section 22a-264 of the general statutes is repealed and the
3830 following is substituted in lieu thereof (*Effective from passage*):

3831 The activities of the authority in providing or contracting to provide
3832 solid waste management services to the state, regions, municipalities
3833 and persons, in implementing the state resources recovery system and
3834 in planning, designing, financing, constructing, managing or operating
3835 solid waste facilities, including their location, size and capabilities,
3836 shall be in conformity with applicable statutes and regulations and
3837 with the [state] state-wide solid waste management plan as
3838 promulgated by the Commissioner of Energy and Environmental
3839 Protection. The authority shall have power to assist in the preparation,
3840 revision, extension or amendment of the [state] state-wide solid waste
3841 management plan, and the Department of Energy and Environmental
3842 Protection is hereby authorized to utilize, by contract or other
3843 agreement, the capabilities of the authority for the carrying out of such
3844 planning functions. The authority shall have power to revise and
3845 update, as may be necessary to carry out the purposes of this chapter,
3846 that portion of the [state] state-wide solid waste management plan
3847 defined as the "solid waste management system". To effect such
3848 revision and updating, the authority shall prepare an annual plan of
3849 operations which shall be reviewed by the Commissioner of Energy
3850 and Environmental Protection for consistency with the [state] state-
3851 wide solid waste management plan. Upon approval by the
3852 Commissioner of Energy and Environmental Protection and by a two-
3853 thirds vote of the authority's full board of directors, the annual plan of
3854 operations shall be promulgated. Any activities of the authority carried
3855 out to assist in the development of industry and commerce based upon
3856 the availability of recovered resources for recycling and reuse shall be
3857 coordinated to the extent practicable with plans and activities of
3858 Connecticut Innovations, Incorporated with due consideration given to

3859 the secondary materials industries operating within the state of
3860 Connecticut.

3861 Sec. 77. Subdivision (12) of section 22a-265 of the general statutes is
3862 repealed and the following is substituted in lieu thereof (*Effective from*
3863 *passage*):

3864 (12) Otherwise, do all things necessary for the performance of its
3865 duties, the fulfillment of its obligations, the conduct of its operations,
3866 the maintenance of its working relationships with municipalities,
3867 regions and persons, and the conduct of a comprehensive program for
3868 solid waste disposal and resources recovery, and for solid waste
3869 management services, in accordance with the provisions of the [state]
3870 state-wide solid waste management plan, applicable statutes and
3871 regulations and the requirements of this chapter;

3872 Sec. 78. Subdivision (6) of section 22a-267 of the general statutes is
3873 repealed and the following is substituted in lieu thereof (*Effective from*
3874 *passage*):

3875 (6) The directors of the authority may by resolution, in accordance
3876 with the provisions and stipulations of this chapter and the authority's
3877 general and other bond resolutions, authorize both the segregation of
3878 such authority revenues as may at any time be adjudged by said
3879 directors to be surplus to the needs of the authority to meet its
3880 contractual and other obligations and to provide for its operations or
3881 other business purposes, and the equitable redistribution of such
3882 segregated surplus revenues to some or all of the users of the system in
3883 accordance with applicable provisions of the [state] state-wide solid
3884 waste management plan;

3885 Sec. 79. Section 22a-275 of the general statutes is repealed and the
3886 following is substituted in lieu thereof (*Effective from passage*):

3887 (a) The authority shall have the power to purchase, in accordance
3888 with the requirements of the [state] state-wide solid waste
3889 management plan, at such costs or prices as are mutually deemed

3890 agreeable by the authority and the seller, any solid waste disposal
3891 facility, volume reduction plant or solid waste disposal areas owned
3892 by a municipality or regional authority or by a person and to own and
3893 operate such facilities and plants when and as deemed necessary,
3894 convenient or desirable, by the authority, and in accordance with the
3895 state plan, to carry out its purposes in accordance with this chapter; it
3896 may alter, reconstruct, improve, enlarge or extend any such facility,
3897 plant or disposal area at its own discretion to carry out the
3898 requirements of the [state] state-wide solid waste management plan; it
3899 may contract to plan, design, finance, construct and operate and
3900 maintain any solid waste management project, processing facility or
3901 disposal area on behalf of a municipal or regional authority, in
3902 accordance with such state plans; and may otherwise make the waste
3903 management services and capabilities of authority projects available by
3904 contract to any municipal or regional authority or private person or
3905 institution at reasonable fees or charges to be established by the
3906 authority for such services.

3907 (b) Any municipal or regional authority having a solid waste
3908 management plan that is required, pursuant to the provisions of
3909 chapter 446b, to be in conformity with the [state] state-wide solid
3910 waste management plan, and which municipal or regional plan
3911 provides that the disposition of the solid wastes of said municipality or
3912 region shall be accomplished through the use of state or regional
3913 facilities providing adequate resources recovery and large-scale waste
3914 disposal processing, is hereby authorized to enter into a long-term
3915 contract for such services with the authority, to pay any reasonable
3916 fees and charges established by the authority for such services, and,
3917 further, to pledge the full faith and credit of the municipal or regional
3918 authority for the payment of such fees and charges.

3919 (c) Prior to negotiating any such contract with a municipal or
3920 regional authority, the authority shall adopt procedures governing
3921 such contract negotiations and contracting processes in accordance
3922 with subsection (d) of this section. Such procedures shall include but

3923 not be limited to (1) specific procedures for resolving impasses,
3924 disputes or other controversies that may arise during contract
3925 negotiations, and (2) such other information, standards, analyses and
3926 procedures as will facilitate the negotiation and establishment of
3927 equitable contracts.

3928 (d) Prior to the adoption, amendment or repeal of any procedure
3929 prescribed in subsection (c) of this section, or of any procedure that
3930 would adversely affect the operations or affairs of any municipality or
3931 municipal or regional authority, the authority shall provide notice of
3932 and opportunity for a hearing on such intended action in accordance
3933 with subsection (e) of this section. Any municipality or municipal or
3934 regional authority may petition the authority with respect to the
3935 promulgation, amendment or repeal of such procedure, in accordance
3936 with a form and procedure prescribed by the authority for the
3937 submission, consideration and disposition of such petition, including
3938 adequate provision for notice and hearing. Within thirty days after the
3939 submission of such a petition the directors of the authority shall either
3940 deny said petition in writing, stating the reasons for such denial, or
3941 shall order the initiation of proceedings in accordance with subsection
3942 (e) of this section.

3943 (e) In adopting, amending or repealing any procedure referred to in
3944 this section, the directors of the authority shall, at least sixty days prior
3945 to the effective date of such action, pass a resolution expressing their
3946 intent to adopt, amend or repeal such procedure, and shall within ten
3947 days cause a copy of such resolution to be printed in one daily and one
3948 weekly newspaper published within the state and the Connecticut Law
3949 Journal. Thereupon, any interested party so desiring may, within thirty
3950 days, petition the directors with respect to such action and offer
3951 evidence in support of such petition before a referee appointed by the
3952 chairman. Said referee shall not be an employee of the authority, and
3953 shall report his findings with respect to such petition and evidence to
3954 the directors at least ten days prior to the date established by the
3955 directors as the effective date of their action. Due consideration shall

3956 be given to such findings by the directors in determining their final
3957 action with respect to such procedural adoption, amendment or repeal.

3958 (f) Any municipal or regional authority is also authorized [hereby]
3959 under this section to borrow from the authority such sums of money as
3960 may be necessary to establish a solid waste management project or
3961 projects, or a disposal facility, volume reduction plant or disposal area
3962 whenever such municipal or regional authority, in accordance with its
3963 approved local plan conforming to the [state] state-wide solid waste
3964 management plan, is not required to utilize the services of a state or
3965 regional waste management project for the disposal of its wastes. Any
3966 such loan may be made on the basis of a long-term loan agreement or
3967 service contract between such municipal or regional authority and the
3968 solid waste authority, and as collateral for such loan a municipal or
3969 regional authority may pledge its full faith and credit, or an applicable
3970 portion of the charges levied or revenues received for municipal or
3971 regional waste disposal, or both. Any municipal or regional authority
3972 is also [hereby] under this section authorized to contract with the
3973 authority for planning, design, financing, construction and operation
3974 and maintenance services by the authority or by any person under
3975 contract with the authority, of a waste management project, facility or
3976 disposal area to be used to provide for the disposal of wastes and the
3977 recovery of resources within said municipality or region and to
3978 contract for any payment in lieu of taxes to be made with respect to
3979 such project, facility or disposal area in accordance with the intentions
3980 and provisions of this chapter and the [state] state-wide solid waste
3981 management plan. All required payments of fees and charges, interest
3982 on loans, principal of loans and necessary fees and assessments related
3983 thereto required under any contract or agreement entered into
3984 pursuant to the provisions of this section, are considered expenditures
3985 for public purposes by a municipal or regional authority and,
3986 notwithstanding the provisions of any other law, any necessary
3987 general or special taxes or cost-sharing or other assessments may be
3988 levied or collected by [said] such municipal or regional authority for
3989 the purpose of making such required payments.

3990 (g) Whenever the authority, by resolution of its board of directors,
3991 distributes surplus revenues of the authority to any municipal or
3992 regional authority or person who by virtue of the provisions of the
3993 [state] state-wide solid waste management plan or any contract or
3994 agreement with the authority may be entitled to participate in such
3995 distribution, such municipal or regional authority or person is entitled
3996 to receive and to have and to hold the proceeds of such distribution
3997 and to use the same for any lawful purpose, including but not limited
3998 to the reduction of local taxes or assessments levied or to be levied for
3999 the purpose of raising revenues to pay authority fees or service
4000 charges.

4001 (h) The authority, when performing services on behalf of or
4002 providing a waste management project for any municipal or regional
4003 authority pursuant to this section, shall be considered eligible to
4004 receive on behalf of such municipal or regional authority any state
4005 grants for which [said] such municipal or regional authority may be
4006 ordinarily eligible under chapter 446d, or any other law, rule or
4007 regulation of the state. The proceeds of any such grant shall be applied
4008 by the authority to reduce the costs of the services or project being
4009 provided.

4010 (i) When performing work at the direction of the Department of
4011 Energy and Environmental Protection, in furtherance of the objectives
4012 of the [state] state-wide solid waste management plan and pursuant
4013 [thereto] to such plan, the authority shall be entitled to receive any
4014 state grants or other assistance to which a municipal or regional
4015 authority would be entitled had the work been performed by such
4016 municipal or regional authority.

4017 (j) Notwithstanding the provisions of any local law, ordinance or
4018 regulation, the authority, in carrying out its purposes according to this
4019 chapter and in fulfilling the requirements of the state plan, shall have
4020 power to transport or to provide for the transportation of solid wastes
4021 and recovered resources anywhere within the state.

4022 (k) Nothing in this chapter shall be deemed or interpreted to
4023 preclude or prohibit state financial assistance to municipal and
4024 regional authorities according to the provisions of chapter 446d, or of
4025 any other law, rule or regulation of the state relating to solid waste
4026 management planning, solid waste reduction and disposal operations,
4027 approved solid waste disposal facilities and equipment, per capita
4028 grants and the distribution of federal funds for the acquisition and
4029 development of lands by municipalities. Such assistance shall be
4030 provided to any municipal or regional authority having a solid waste
4031 management plan which has been adopted and approved pursuant to
4032 chapter 446d, and is in conformity with the [state] state-wide solid
4033 waste management plan, until such time as such municipal or regional
4034 authority contracts with the authority for and receives resource
4035 recovery or solid waste processing services.

4036 Sec. 80. Section 22a-212 of the general statutes is repealed and the
4037 following is substituted in lieu thereof (*Effective from passage*):

4038 The commissioner shall make grants for providing financial
4039 assistance to municipal and regional authorities for the preparation of
4040 solid waste management [plan] plans. The grant to each municipal
4041 authority shall equal ten per cent of the nonfederal portion of the cost
4042 of preparing the plans. An additional ten per cent shall be paid for
4043 each additional municipality included in the plan, but not more than
4044 seventy per cent of the total cost of the nonfederal portion being
4045 granted by the commissioner to a regional authority.

4046 Sec. 81. Subdivision (12) of subsection (a) of section 7-273bb of the
4047 general statutes is repealed and the following is substituted in lieu
4048 thereof (*Effective from passage*):

4049 (12) Otherwise, do all things necessary for the performance of its
4050 duties, the fulfillment of its obligations, the conduct of its operations,
4051 the maintenance of its working relationships with the state, other
4052 municipalities, regions and persons, and the conduct of a
4053 comprehensive program for solid waste disposal and resources

4054 recovery, and for solid waste management services, in accordance with
 4055 the provisions of the [state] state-wide or local solid waste
 4056 management plan, applicable statutes and regulations and the
 4057 requirements of this chapter;

4058 Sec. 82. Subdivision (15) of subsection (a) of section 7-273bb of the
 4059 general statutes is repealed and the following is substituted in lieu
 4060 thereof (*Effective from passage*):

4061 (15) Purchase, receive by gift or otherwise, lease, exchange, or
 4062 otherwise acquire and construct, reconstruct, improve, maintain, equip
 4063 and furnish such waste management projects of the authority as are
 4064 called for by the [state] state-wide or local solid waste management
 4065 plan;

4066 Sec. 83. Sections 16a-3, 16a-7c, 16a-8, 22a-208h and 22a-211 and 22a
 4067 285 to 22a-285k, inclusive, of the general statutes are repealed. (*Effective*
 4068 *from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	22a-472
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	22a-241a
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	22a-262
Sec. 7	<i>from passage</i>	22a-264
Sec. 8	<i>January 1, 2015</i>	22a-265
Sec. 9	<i>from passage</i>	22a-265a
Sec. 10	<i>from passage</i>	16a-14e
Sec. 11	<i>from passage</i>	1-2b
Sec. 12	<i>from passage</i>	16-50j
Sec. 13	<i>from passage</i>	22a-208b
Sec. 14	<i>from passage</i>	51-344a
Sec. 15	<i>January 1, 2015</i>	51-344a(a)
Sec. 16	<i>from passage</i>	22a-266(a)

Sec. 17	<i>from passage</i>	22a-208a(d)
Sec. 18	<i>from passage</i>	22a-261(c)
Sec. 19	<i>October 1, 2014</i>	16a-48(g)
Sec. 20	<i>October 1, 2014</i>	16a-38k
Sec. 21	<i>from passage</i>	12-268s(a)
Sec. 22	<i>from passage</i>	New section
Sec. 23	<i>from passage</i>	16-50i
Sec. 24	<i>from passage</i>	16a-40g(a)
Sec. 25	<i>from passage</i>	New section
Sec. 26	<i>from passage</i>	16-244c(h)(2)
Sec. 27	<i>from passage</i>	16-50l
Sec. 28	<i>from passage</i>	16-333l(c)
Sec. 29	<i>from passage</i>	16-50m
Sec. 30	<i>from passage</i>	16-245n
Sec. 31	<i>from passage</i>	16-50o
Sec. 32	<i>from passage</i>	16-243p(a)
Sec. 33	<i>from passage</i>	16a-3f
Sec. 34	<i>from passage</i>	16a-3g
Sec. 35	<i>from passage</i>	16a-3h
Sec. 36	<i>from passage</i>	16a-3i(d)
Sec. 37	<i>from passage</i>	16-50p(a)
Sec. 38	<i>from passage</i>	16-50bb(a)
Sec. 39	<i>October 1, 2015</i>	16-345
Sec. 40	<i>October 1, 2015</i>	16-346
Sec. 41	<i>October 1, 2015</i>	16-347
Sec. 42	<i>October 1, 2015</i>	16-348
Sec. 43	<i>October 1, 2015</i>	16-349
Sec. 44	<i>October 1, 2015</i>	16-351
Sec. 45	<i>October 1, 2015</i>	16-352
Sec. 46	<i>October 1, 2015</i>	16-354
Sec. 47	<i>October 1, 2015</i>	16-355
Sec. 48	<i>October 1, 2015</i>	16-356
Sec. 49	<i>from passage</i>	16-243m
Sec. 50	<i>from passage</i>	16-245l(a)
Sec. 51	<i>from passage</i>	New section
Sec. 52	<i>from passage</i>	16-19ww(d)
Sec. 53	<i>from passage</i>	16a-2
Sec. 54	<i>from passage</i>	16-262n(a)
Sec. 55	<i>from passage</i>	New section
Sec. 56	<i>from passage</i>	16a-7b

Sec. 57	<i>from passage and applicable to assessment years commencing on and after October 1, 2014</i>	12-81(57)(A)
Sec. 58	<i>from passage and applicable to assessment years commencing on and after October 1, 2014</i>	12-81(57)(D)
Sec. 59	<i>from passage</i>	16-245d(c)(2)
Sec. 60	<i>from passage</i>	16-245d(c)
Sec. 61	<i>July 1, 2014</i>	16-245(g)
Sec. 62	<i>from passage</i>	16-245o(f)(1)
Sec. 63	<i>from passage</i>	16-245o(g)(3)
Sec. 64	<i>from passage</i>	32-80a(c)
Sec. 65	<i>January 1, 2015</i>	8-31c
Sec. 66	<i>from passage</i>	22a-260
Sec. 67	<i>October 1, 2014</i>	22a-639
Sec. 68	<i>from passage</i>	25-201
Sec. 69	<i>from passage</i>	25-231
Sec. 70	<i>from passage</i>	22a-208a(j)
Sec. 71	<i>from passage</i>	22a-219b(b)
Sec. 72	<i>from passage</i>	22a-220(f)
Sec. 73	<i>from passage</i>	22a-222(a)
Sec. 74	<i>from passage</i>	22a-259
Sec. 75	<i>from passage</i>	22a-262
Sec. 76	<i>from passage</i>	22a-264
Sec. 77	<i>from passage</i>	22a-265(12)
Sec. 78	<i>from passage</i>	22a-267(6)
Sec. 79	<i>from passage</i>	22a-275
Sec. 80	<i>from passage</i>	22a-212
Sec. 81	<i>from passage</i>	7-273bb(a)(12)
Sec. 82	<i>from passage</i>	7-273bb(a)(15)
Sec. 83	<i>from passage</i>	Repealer section